

SCHOOL COMMITTEE POLICY MANUAL
NEW BEDFORD PUBLIC SCHOOLS
NEW BEDFORD, MASSACHUSETTS 02740

This manual contains the official policies of the New Bedford School Committee; the major procedures intended to implement policy; and certain reference or "exhibit" documents that relate to policies and/or procedures.

Policy development in a modern, forward-looking school system is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing need to develop new policies or to revise existing ones. This is why the committee employs the loose-leaf format for this manual. It is easy to keep up to date.

Each person holding a copy of this manual should make a diligent effort to keep it up to date as new policies, procedures, and exhibits are distributed by the central office.

How to Use this Manual

The school department operates according to policies established by the School Committee. The committee then appraises the effects of its policies and makes revisions as necessary.

In the interests of harmony, efficiency, uniformity of interpretation, coordination of effort, and in fairness to all concerned, the committee makes this manual available to all who are affected by its policies.

Please Note: All copies of this manual are the property of the New Bedford School Committee.

How the Manual is organized

The manual is organized in accordance with the classification system developed by the National School Boards Association. This system provides an efficient means of coding, filing, and finding policies and other documents. There are 12 major classifications each assigned an alphabetical code:

- A -- FOUNDATIONS AND BASIC COMMITMENTS
- B -- SCHOOL BOARD GOVERNANCE AND OPERATIONS
- C -- GENERAL SCHOOL ADMINISTRATION

- D -- FISCAL MANAGEMENT
- E -- SUPPORT SERVICES
- F -- FACILITIES DEVELOPMENT
- G -- PERSONNEL
- H -- NEGOTIATIONS
- I -- INSTRUCTIONAL PROGRAM
- J -- STUDENTS
- K -- SCHOOL-COMMUNITY RELATIONS
- L -- EDUCATION AGENCY RELATIONS

Sub classification under each heading is based on logical sequence and alphabetical sub coding. For an example of the sub coding system, examine the white pages immediately following the tab for Section AD--Foundations and Basic Commitments.

The pages that follow the tab for each major section present the classification system, section by section, and serve as the tables of contents for each section or "chapter" of this manual.

How to Find a Policy

There are two ways to find a policy (or procedure) in this policy manual:

1. Consider where the policy statement (or procedure) would be filed among the 12 major classifications. Turn to the Table of Contents for that section and glance down the listing until you find the term that most closely fits the topic you are seeking. Use the code letters given for that term to locate the policy you need. The pages are arranged in alphabetical order by code within the section. All pages are coded in their upper right hand corner.
2. Turn to the Code Finder Index at the end of the manual. The code finder is an alphabetical index of all terms used in education. Look up your topic as in any index, find the code, and use the code to locate the correct page in the manual.

What if you can't find the term you are seeking? The code finder index lists more than 1,800 terms, but no index of useful size could include every possibility. If the term you are seeking is not included, look up a synonym or a more general or specific term appropriate to the topic.

What if you can find the term and code, but there is no policy or procedure? This probably means that the school system has no written policy or important procedures in that particular area. All terms used in the classification system appear in the sectional tables of

contents and Code Finder Index to accommodate the coding, insertion, and finding of policies or procedures that may be issued later. But there is one other possibility. A brief statement related to the policy you are seeking may be incorporated in a "superior" policy, which covers the area generally. This "superior" policy will be coded under a more general term. To find it, read up the classification system. For example, a policy statement, which relates to all meetings of the school committee, might be filed under "School Board Meetings" (BD) rather than "Regular Board Meetings" (BDA). (Please note: In the classification system and Code Finder Index, read "School Committee" for "School Board".)

Using the Signs and Symbols

Various signs and symbols are used in connection with the classification system. They are for your use in locating and/or in examining policies. Included are the following:

Also: Certain policies bear two codes in the upper right hand corner. The second is in parentheses and is preceded by 'Also'. This means that the identical policy (or procedure) is filed under both codes.

- R This symbol following a code indicates that the statement is a procedure, not a committee policy.
- E Exhibit. This symbol following a code indicates that the statement is a reference document such as a calendar, application form, etc., rather than a policy.

DATES:

Where possible, the original date of adoption/issuance appears immediately following each policy or procedure. In other instances, an approximate adoption or re-approval date is used.

LEGAL REFERENCE:

Pertinent legal references are given to inform the reader where in state law s/he may find the statutes that relate to a specific policy. Unless otherwise noted, all references direct the reader to the General Laws of the Commonwealth of Massachusetts (cited as M.G.L., Chapter and section).

CONTRACT REFERENCE:

Agreements reached through negotiations with recognized staff organizations have the full force of committee policy. References to negotiated agreements are provided, as appropriate, to direct the reader to statements in these agreements.

CROSS REFERENCE:

Certain policies and procedures relate to others. Cross-references are provided following many statements to help the reader find all of the related information needed.

About Policies and Procedures

Generally, the role of a School Committee is to set policy and the role of the administration is to implement it through procedures. Written policies are the chief means by which a School Committee governs the schools, and procedures are one of the means by which the committee's policies are implemented. The following definitions provide a distinction between these two types of statements:

POLICIES are principles adopted by the School Committee to chart a course of action. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of day-to-day problems while being narrow enough to give the administration clear guidance.

PROCEDURES are detailed directions usually developed by the administration to put policy into practice.

These definitions are serviceable some of the time. They reflect sound theory of governance and administration. But policies and procedures are obviously closely related. They can and do merge, making it difficult to ascertain where one begins and the other ends. For example:

- State and federal governments require school committees to make or officially approve detailed procedures, and procedures in certain areas.
- A School Committee signs contracts and agreements that may contain and interweave policies, procedures, and procedural detail.
- The public staff, or school committee members may demand that the School Committee itself, not the administration, establish specific procedures and procedures in certain sensitive areas.

It is the intermingling of policy and procedure in law, in contracts, and in adopted statements of the School Committee that can cause confusion. Sometimes they are not easily separated. Therefore, the separation of policies and procedures in this manual follows several "rules of thumb" in addition to basic theory:

1. When the school system's practice in a particular area is established by law, any informational statement covering the practice is presented as "policy". (A law may,

of course, be quoted or referred to in a procedure.)

2. When a school system's practice in a particular area has been established through a negotiated agreement, any statement pertaining to that practice is presented as "policy".
3. Where the School Committee has interwoven procedures with policy and where separation would interfere with their meaning, the entire statement is presented as a policy.
4. Where the School Committee has adopted rules and by-laws concerning its own organizational and operating procedures, these statements appear as policy. As long as the administration operates within the guidelines of policy adopted by the committee, it may issue procedures without prior committee approval, unless law requires committee action, or unless the committee has specifically asked that certain types of procedures be submitted for committee approval. The School Committee is to be informed of all school system procedures issued by the administration. All such procedures are subject to committee review.

Is the Manual Complete?

No. The manual contains all of the current written policies of the school committee to date. But, the need for putting additional policies in writing, for adopting new or revising existing ones, becomes apparent.

Additionally, state laws; and procedures change. No matter how well conceived and well developed, a policy manual can never be 100% complete and 100% up-to-date. Policy development is a continuing process. From time to time, new policies, procedures, and reference documents will be developed, coded under the classification system, and issued for insertion in the manual.

Should the need arise, supplemental sub codes may be added to the classification system to accommodate topics not covered by existing codes. For example, IGA is the code for BASIC INSTRUCTIONAL PROGRAM. The Code Finder Index lists various programs from IGAA, CITIZENSHIP EDUCATION to IGAJ, DRIVER EDUCATION.

Order of Precedence

School committee policies and procedures, as well as negotiated agreements with staff bargaining units, must be read and interpreted in the light of the Massachusetts General Laws and State procedures. Wherever inconsistencies of interpretation arise, the law and

state procedures prevail. A conflict between a local policy or procedure and a negotiated agreement must be interpreted in line with the contract for members of the particular bargaining unit.

Terminology

The masculine, feminine and neuter genders as used in this manual import one another, and the singular shall include the plural whenever applicable.

It is the hope of the New Bedford School Committee is that this collection of policies and procedures will make greater harmony and efficiency possible in all areas of school operations. This will enable the committee to devote more time to its primary duty--the development of long-range policies and planning for the future of the school system.

New Bedford School Committee

Final Adoption Date: February 13, 2017
Formally Presented on: August 14, 2017

SECTION A
FOUNDATIONS AND BASIC COMMITMENTS

AA	SCHOOL DISTRICT LEGAL STATUS
AB	THE PEOPLE AND THEIR SCHOOL DISTRICT
AC	NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION
ACA	NONDISCRIMINATION ON THE BASIS OF SEX
ACAB	SEXUAL HARASSMENT
ACE	NONDISCRIMINATION ON THE BASIS OF DISABILITY
AD	MISSION STATEMENT
ADC	TOBACCO USE ON SCHOOL PREMISES PROHIBITED
ADDA	BACKGROUND CHECKS
ADDA-R	DCJIS MODEL CORI POLICY
ADF	SCHOOL WELLNESS POLICY

SCHOOL DISTRICT LEGAL STATUS

The legal basis for public education in the school district of New Bedford is vested in the will of the people as expressed in the Constitution of the Commonwealth of Massachusetts, the statutes pertaining to education, and court interpretation of the validity of these laws and the powers implied in them.

Under the General Laws of Massachusetts:

“Every town shall maintain...a sufficient number of schools for the instruction of children who may legally attend a public school therein.”

The public education system of New Bedford is operated by the New Bedford School Committee under laws pertaining to education and regulations of the State Board of Education. The area served by the New Bedford Public Schools is the area of the City of New Bedford.

LEGAL REFS.: Constitution of Massachusetts, Part II, Chapter V, Section II
M.G.L. 71:1

CROSS REF.: BB, School Committee Legal Status
Historical Note: Massachusetts is the oldest public school system in the nation. Dating back to 1647, the laws of Massachusetts Bay Colony required towns to provide for a program of public education.

SOURCE: MASC – Updated 2022

UPDATED: July 2023

THE PEOPLE AND THEIR SCHOOL DISTRICT

The School Committee has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' expectations for the education of the community's youth. It also has an obligation to determine and assess citizens' desires. When citizens elect School Committee members to represent them in the conduct of public education, their representatives have the authority to exercise their best judgment in determining policies, making decisions, and, if necessary, approving procedures for carrying out the responsibility.

The School Committee therefore affirms and declares its intent to:

1. Maintain two-way communication with citizens of the community. The public will be kept informed of the progress and problems of the school system, and citizens will be urged to bring their aspirations and feelings about their public schools to the attention of this body, which they have chosen to represent them in the management of public education.
2. Establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this Committee will be made with priority given to the purposes set forth, most crucial of which is the optimal learning of the children enrolled in our schools.
3. Act as a truly representative body for members of the community in matters involving public education. The Committee recognizes that ultimate responsibility for public education rests with the state, but individual School Committees have been assigned specific authority through state law. The Committee will not relinquish any of this authority since it believes that decision-making control over the children's learning should be in the hands of the New Bedford school district.

SOURCE: MASC – Updated May 2023
UPDATED: July 2023

NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The New Bedford Public Schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed by the following statements that the New Bedford School Committee ("Committee") intends to:

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

The Committee's policy of nondiscrimination will extend to students, employees, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related conditions, genetic information, ancestry, veteran status, or other protected class as defined by state or federal law. Individuals who believe that they have been subjected to a violation of this policy or discrimination because of their race, color, sex, gender identity, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related conditions, genetic information, ancestry, veteran status, or other protected class as defined by state or federal

law, should make a report to the Title IX compliance officer, a building principal, immediate supervisor or Human Capital Services.

Retaliation against an individual who has reported a violation of this policy, discrimination or cooperated with an investigation will not be tolerated. Individuals who have been subjected to or witnessed retaliation should make a report to the Title IX compliance officer, a building principal, immediate supervisor or Human Capital Services.

Because the Committee takes allegations of violations of this policy, discrimination and retaliation seriously, it will respond promptly to complaints and where it is determined that such inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of 1972
Title IX, Education Amendments of 1972
Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
The Americans with Disabilities Act of 1990
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)
M.G.L. c. 151B

[Acts of 2022, Chapter 117](#) (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex
ACE, Nondiscrimination on the Basis of Disability

Revised: May 13, 2019

Revised: January 2023

Updated: July 2023

SOURCE: MASC

NONDISCRIMINATION ON THE BASIS OF SEX

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

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

The Superintendent will designate an individual to act as the school system's Title IX compliance officer. All students, employees, applicants for employment and unions will be notified of the name, title, email address, office address and telephone number of the Title IX compliance officer.

SOURCE:	MASC - Updated May 2023
UPDATED:	July 2023
LEGAL REFS.:	Title IX of the Education Amendments of 1972 45 CFR, Part 86, (Federal Register, 6/4/75) 34 CFR 106 M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971) M.G.L. c. 151B:3A BESE 603 CMR 26:00
REFERENCE:	USDOE Notice of Interpretation – https://www.ed.gov/news/press-release/us-department-education-confirms-title-ix-protects-students-discrimination-based-sexual-orientation-and-gender-identity
CROSS REF.:	AC, Nondiscrimination Policy including Harassment and Retaliation ACAB, Sexual Harassment

SEXUAL HARASSMENT

All persons associated with the New Bedford Public Schools District including, but not limited to, the Committee, the administration, staff and students are expected to conduct themselves at all times so as to provide an atmosphere free of sexual harassment. Any persons who engages in sexual harassment while acting as a member of the school community, will be in violation of this policy. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating in an investigation of a sexual harassment complaint is unlawful and will not be tolerated.

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

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

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

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

The Grievance Officers:

Executive Director, Human Capital Services
Paul Rodrigues Administration Building
455 County Street, Room 120
New Bedford, MA 02740
Tel. (508) 997-4511, Ext. 3264

Executive Director, Student Services
Paul Rodrigues Administration Building
455 County Street, Room 135
New Bedford, MA 02740
Tel. (508) 997-4511, Ext. 14404

The Superintendent will annually appoint a sexual harassment Grievance Officer who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out below.

Complaint Procedure:

1. Any member of the school community who believes that he/she has been subject to sexual harassment will report the incident(s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.
2. The grievance officer will attempt to resolve the problem in an informal manner through the following process:
 - a. The grievance officer will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses.
 - b. The grievance officer will then attempt to meet with the charged party in order to obtain his/her response to the complaint.
 - c. The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.
 - d. On the basis of the grievance officer's perception of the situation he/she may:
 - Attempt to resolve the matter informally through reconciliation.
 - Report the incident and transfer the record to the Superintendent or his/her designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the Superintendent may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the Committee for termination or expulsion. At this stage of the processing the parties may present witnesses and other evidence, and may also be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters involving sexual harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct.

4. The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended
Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX)
34 CFR 106.00, et seq.
Board of Education 603 CMR 26:00

NOTE: A summary of the attached policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employee(s) must attend training sessions on the implementation of the policy.

Amended: February 2019
Updated: 2020
MASC: Updated May 2023
Adopted: July 2023

NONDISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans With Disabilities Act of 1990 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

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

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

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

Auxiliary Aids and Services: "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification: The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service,

program, or activity or in undue financial and/or administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee, Superintendent or Superintendent's designee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District.

The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

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

1. Discrimination against a qualified handicapped person solely on the basis of handicap is a violation of this policy; and
2. Employees of the school system will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of handicap.

Individuals who believe they have been subjected to a violation of the policy or discrimination because of their disability should make a report to a building principal, immediate supervisor or Human Capital Services.

Retaliation against an individual who has reported a violation of this policy, discrimination on the basis of disability or cooperated with an investigation will not be

tolerated. Individuals who have been subjected to or witnessed retaliation should make a report to a building principal, immediate supervisor or Human Capital Services.

Because the Committee takes allegations of violations of this policy, discrimination and retaliation seriously, it will respond promptly to complaints and where it is determined that such inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

LEGAL REFS.: Rehabilitation Act of 1973, Section 504
 Education for All Handicapped Children Act of 1975
 M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)
 Title II, Americans with Disabilities Act of 1990
 Board of Education Chapter 766 Regulations, adopted 10/74, as amended
 through 3/28/78

CROSS REFS.: IGB, Support Services Programs
 IGBA, Programs for Handicapped Students

Revised: May 13, 2019

MISSION STATEMENT

In order to insure educational excellence and equity, New Bedford Public Schools will prepare all students who not only will survive, but thrive in the technology intensive, ever-changing global society of the future. New Bedford students will graduate from the system as flexible thinkers and problem solvers who will cherish and respect the planet they live on and all its environmental and human diversity.

Educational experiences will nurture a cooperative spirit that will provide for a meaningful education and prepare our students for the future and the world of work.

It is hoped that students will become active members of their communities and fully informed citizens who are able to take advantage of the many opportunities that come their way, and who understand that learning is a lifelong process.

TOBACCO USE ON SCHOOL PREMISES PROHIBITED

Use of any tobacco products, including but not limited to: cigarettes, cigars, little cigars, chewing tobacco, snuff and electronic cigarettes, electronic pipes or other similar products that rely on vaporization or aerosolization within the school buildings, school facilities, or on school grounds or school buses, or at any school sponsored events by any individual, including school personnel and students, is prohibited at all times.

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

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

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

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

SOURCE: MASC Updated May 2023
UPDATED: July 2023
LEGAL REF: M.G.L. 71:37H ; 270:6
CROSS REFS.: GBED Tobacco Use on School Property by Staff Members Prohibited
JICH Alcohol, Tobacco and Drug Use by Students Prohibited

BACKGROUND CHECKS

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

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

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

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

Requesting CHRI (Criminal History Record Information) checks

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

Access to CHRI

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

Storage of CHRI

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

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

Retention and Destruction of CHRI

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

- Historical reference and/or comparison with future CHRI requests,
- Dispute of the accuracy of the record
- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in a secure location in the office of the superintendent. When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of the district.

CHRI Training

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

Determining Suitability

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

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

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

Relying on Previous Suitability Determination.

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

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

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

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

Adverse Decisions Based on CHRI

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

- Provide the individual with a copy of his/her CHRI used in making the adverse decision;

- Provide the individual with a copy of this CHRI Policy;

- Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI;

- and

- Provide the individual with information on the process for updating, changing, or correcting CHRI.

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

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

legal counsel whenever he/she solicits information from an individual concerning his/her history of criminal convictions.

Secondary Dissemination of CHRI

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

The following information will be recorded in the log:

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

Reporting to Commissioner of Elementary and Secondary Education

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

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

C.O.R.I. REQUIREMENTS

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

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

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

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

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to children of the school district shall sign an acknowledgement form authorizing receipt by the district of all available CORI data from the department of criminal justice information services. In the event that a current employee has a question concerning the signing of the acknowledgement form, he/she may meet with the Principal or Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to local counsel for appropriate action.

Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent, Principals or their designees certified to obtain information under the policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school children.

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

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

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

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

The Superintendent shall amend employment applications to include questions concerning criminal records which the Massachusetts Commission against Discrimination has determined may be legally asked of prospective employees. Any employment application which seeks information concerning prior arrests or convictions of the applicant shall include the following statement: "An applicant for employment with a sealed record on file with the commission of probation may answer 'no record' with respect to an inquiry herein relative to prior arrests or criminal court appearances. In addition, any applicant for employment may answer 'no record' with respect to any inquiry relative to prior arrests, court appearances and adjudications in all cases of delinquency or as a child in need of service which did not result in a complaint transferred to the superior court for criminal prosecution."

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

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

LEGAL REFS.: M.G.L.6:167-178; 15D:7-8; 71:38R, 151B, 276:100A
P.L. 92-544; Title 28 U.S.C. § 534; Title 28 C.F.R. 20.33(b)
42 U.S.C. § 16962
603 CMR 51.00
803 CMR 2.00
803 CMR 3.05 (Chapter 149 of the Acts of 2004)
[FBI Criminal Justice Information Services Security Policy](#)
[Procedure for correcting a criminal record](#)
[FAQ – Background Checks](#)

SOURCE: MASC October 2014

NOTE: The Department of Criminal Justice Information Services (DCJIS) has adopted regulations requiring that it maintain a model CORI policy and that any written policy must meet the minimum standards as found in the model. Therefore, MASC recommends that school districts retain both the school district specific policy incorporated here and the DCJIS model policy attached as ADDA-R.

Adopted; 12/14/2009

Fingerprinting: 11/17/2014

Modified (to incorporate amended CORI and Fingerprinting Policies): 9/21/2015

DCJIS MODEL CORI POLICY

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

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

CONDUCTING CORI SCREENING

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

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

ACCESS TO CORI

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

CORI TRAINING

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

USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING

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

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

VERIFYING A SUBJECT'S IDENTITY

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

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

INQUIRING ABOUT CRIMINAL HISTORY

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

DETERMINING SUITABILITY

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

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

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

ADVERSE DECISIONS BASED ON CORI

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

SECONDARY DISSEMINATION LOGS

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

SOURCE: MASC May 2014

Revised: 9/21/2015

DISTRICT SCHOOL WELLNESS POLICY

New Bedford Public Schools values the importance of positive physical, emotional, and mental well-being for our students and staff. The district understands the role that wellness plays in supporting academic success and the impact on our students' lifelong potential. Therefore, the district will provide developmentally appropriate and sequential nutrition and physical education as well as the opportunity for physical activity.

Wellness Council:

New Bedford Public Schools (NBPS) will establish a District Wellness Council which allows for the integration of wellness into all aspects of students' educational experiences. The District Wellness Council will be comprised of a school committee member, school administrator, food services representative, nurse, community member, parent/guardian and student. The council will meet at least 4 times per year. The Wellness Council will develop a "Wellness Plan" which will include goals, strategies and best practices related to wellness.

Nutrition Standards for USDA Child Nutrition Programs and Healthier Meals:

New Bedford Public Schools will increase meal participation by students, provide quality meals, adhere to compliance, and serve recipes consistent with student satisfaction. The district will assure compliance with USDA nutrition standards for reimbursable school meals and address access to the USDA School Breakfast.

The district will provide annual training for food and nutrition services staff in accordance with USDA Professional Standards along with extended professional development opportunities and ensure compliance with the District's "Protocol for the Prevention and Management of Life Threatening Food Allergies."

Nutrition Standards for Competitive and Other Foods and Beverage:

New Bedford Public Schools aims to encourage healthy and nourishing options and adhere to competitive food regulations while promoting healthy alternatives to processed items, snacks, and drinks. The district will maintain compliance with USDA nutrition standards ([Smart Snacks](#)) and the [MA Nutrition Standards](#) for all food and beverages sold to students during the school day, including a la carte, in vending machines, in school stores, food served for in-school celebrations and after the school day on school grounds. Free drinking water will be available during meals, throughout the school day and during after-school activities.

Nutrition Education:

It is the goal of NBPS to have a district wide approach to health and nutrition curriculum, assuring that each student receives an equitable health and nutrition education. The curriculum will include goals for nutrition education that are designed to promote student wellness and enforce an understanding that the quality of foods consumed affects personal health and performance. All students will receive sequential and comprehensive nutrition education that will be integrated into other subjects beyond health such as science, math, language arts and physical education.

Physical Activity and Recess:

New Bedford Public Schools will ensure that students are provided multiple opportunities to engage in physical activity. Schools will strive to provide physical activity in the classroom and throughout the extended school day.

New Bedford Public Schools recognizes that recess is an essential opportunity for physical activity for students and the benefits of recess reach far beyond the playground.

Schools will provide a minimum of twenty minutes of recess daily for elementary students as scheduling permits. Recess shall not be required on early dismissal days. Participation in recess shall not be contingent upon satisfactory behavior or academic performance and recess shall not be restricted or revoked as a disciplinary measure unless there is a threat of harm to the student or others. Recess should be outdoors unless inclement weather or safety concerns prohibit outdoor activities, in which case recess will take place indoors.

Employee Wellness:

New Bedford Public Schools highly values the health and well-being of every staff member and strives to create opportunities for staff to model healthy behaviors. The district will comply with local, state, and federal drug, alcohol and tobacco free policies. The New Bedford Public Schools will provide access to and encourage participation in and use of various wellness programs and/or resources such as healthy eating and weight management, physical activity, stress management, tobacco avoidance and cessation and social-emotional health

Accountability and Evaluation:

New Bedford Public Schools is committed to ongoing assessment and evaluation of this policy. The Wellness Policy will be made available to students, families, and the general public through our district website. The policy will be updated accordingly by the District Wellness Council using the WellSat 3.0 or equivalent to ensure compliance with Federal and State regulations.

Adopted : 7/12/2021

Legal Refs: The Child Nutrition and WIC Act of 2004, section 204
 P.L. 108-265
 MGL 111-223
 105 CMR 201

Cross Refs: EFC, Free and Reduced Meals
 IHAE, Physical Education
 IHAM, Health Education
 IHAMB, Teaching About Alcohol, Tobacco and Drugs

SECTION B

BOARD GOVERNANCE AND OPERATIONS

BA	SCHOOL COMMITTEE OPERATIONAL GOALS
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BBA	SCHOOL COMMITTEE POWERS AND DUTIES
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BBBC/ BBBD/ BBBE	SCHOOL COMMITTEE MEMBER RESIGNATION/ REMOVAL FROM OFFICE/UNEXPIRED TERM FULFILLMENT
BCA	SCHOOL COMMITTEE MEMBER ETHICS
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BDD	SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP
BDE	SCHOOL COMMITTEE SUBCOMMITTEES
BDF	ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE
BDFA	SCHOOL COUNCILS
BDFA-E	SCHOOL IMPROVEMENT PLAN

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BEC	EXECUTIVE SESSIONS
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BHE	USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS
BIA	NEW SCHOOL COMMITTEE MEMBER ORIENTATION
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BIBA	SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS
BID	SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES
BJ	SCHOOL COMMITTEE LEGISLATIVE PROGRAM

SCHOOL COMMITTEE OPERATIONAL GOALS

The School Committee is responsible to the people for whose benefit the school system has been established. The Committee's current decisions will influence the course of education in our schools for years to come. The Committee and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate concerns.

The School Committee's primary responsibility is to establish those purposes, programs, and policies that will best produce the educational achievement needed by our students. The Committee is charged with accomplishing this while also being responsible for wise management of resources available to the school system. The Committee must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and by evaluating the results. It must carry out its functions openly, while seeking the comments of the public, students, and staff in its decision-making processes.

In accordance with these principles, the School Committee through its mode of operating, shall seek to achieve the following goals:

1. Periodically setting performance objectives for the School Committee itself and evaluating their accomplishment.
2. Setting objectives for performance for each position and function in the system.
3. Allowing the people responsible for carrying out objectives to have a role in setting them.
4. Establish practical and smart district goals.
5. Conducting a periodic review of performance against these goals.

SOURCE:	MASC UPDATED:	May 2023
UPDATED:	July 2023	
CROSS REF.:	ADA, School District Goals and Objectives	

EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

The School Committee will periodically establish realistic objectives related to Committee procedures and relationships. At the end of a specified length of time, the Committee will measure its performance against the stated objectives.

The following areas of School Committee operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Communication with the public
2. School Committee - Superintendent relationships
3. School Committee member development and performance
4. Policy development
5. Educational leadership
6. Fiscal management
7. School Committee meetings
8. Performance of subcommittees of the School Committee
9. Interagency and governmental relationships

When the Committee has completed its self-evaluation, the members will discuss the results in detail and formulate a new series of objectives. At the same time, the Committee will set an approximate date on which the next evaluation will be conducted.

Implied in the concept of evaluation is an assumption that individuals and Committees are capable of improvement. The School Committee believes that its performance will be improved if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

SCHOOL COMMITTEE LEGAL STATUS

The School Committee is the governing board of the school system of the City of New Bedford. Although it functions as a duly elected committee of the City government, it has autonomous and absolute authority within limitations set by the Commonwealth of Massachusetts to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the City.

The Committee consists of the mayor of New Bedford, and six additional members who are elected to serve four-year terms.

The School Committee has authority only when acting as a body. Individual members have no authority over school affairs except at the expressed direction of the Committee.

Statutory

SOURCE:	MASC – Updated May 2023
UPDATED:	July 2023
LEGAL REFS.:	M.G.L. 71:37 specifically, but powers and duties of school committees are established throughout the General Laws of Massachusetts Relating to School Committees
CROSS REF.:	AA, School District Legal Status; BBA School Committee Powers and Duties

SCHOOL COMMITTEE POWERS AND DUTIES

The School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its work with the Superintendent; it sees them as:

1. **Legislative or policymaking.** The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.
2. **Appraisal.** The Committee is responsible for evaluating the effectiveness of its policies and their implementation.
3. **Provision of financial resources.** The Committee is responsible for adoption of a budget that will enable the school system to carry out the Committee's policies.
4. **Public relations.** The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the school staff informed about the needs and wishes of the public.
5. **Educational planning and evaluation.** The Committee is responsible for establishing educational goals and policies that will guide the Committee and staff for the administration and continuing improvement of the educational programs provided by the School District.

Personnel Matters

The Superintendent shall be appointed by vote of the Committee and shall directly report to the Committee as provided by law and perform all the duties that are prescribed by law and such other duties, not inconsistent thereto, as a majority of the Committee may direct.

The School Committee shall appoint upon the recommendation of the Superintendent, Assistant/Associate/Deputy Superintendent(s), School Business Administrator, Special Education Administrator, School Physician, School Nurses and Supervisor of Attendance. Such positions shall not report directly to the School Committee.

SOURCE:	MASC Updated May 2023
UPDATED:	July 2023
LEGAL REF.:	M.G.L. 71:37 specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.
CROSS REF.:	BB, School Committee Legal Status BDG School Attorney

SCHOOL COMMITTEE MEMBER AUTHORITY

Authority

Because all powers of the School Committee derived from state laws are granted in terms of action as a group, members of the School Committee have authority only when acting as a Committee legally in session.

The School Committee will not be bound in any way by any statement or action on the part of an individual member except when such statement or action is a result of specific instructions voted by the Committee.

No member of the Committee, by virtue of his/her office, will exercise any administrative responsibility with respect to the schools or command the services of any school employee.

The School Committee will function as a body and all policy decisions and other matters, as required by law, will be settled by an official vote of the Committee sitting in formal session.

Duties

The duties and obligations of the individual Committee member may be enumerated as follows:

1. To become familiar with the General Laws of the Commonwealth relating to education and School Committee operations, regulations of the Massachusetts Board of Education, policies and procedures of this School Committee and School Department.
2. To keep abreast of new laws and the latest trends in education.
3. To have a general knowledge of the goals, objectives, and programs of the district.
4. To work effectively with other Committee members without trying either to dominate the Committee or neglect his/her share of the work.
5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.

6. To vote and act in Committee impartially for the good of all students.
7. To accept the will of the majority vote in all cases, and to remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
8. To represent the Committee and the schools to the public in a way that promotes interest and support.
9. To refer questions and complaints to the Superintendent of Schools.
10. To comply with the accepted code of ethics for School Committee members.
11. Decorum at meetings shall be expected by the members of the School Committee. Vulgar language, gestures and behaviors shall not be allowed. At each meeting, the Chair shall give one warning of any such violations to the violator. Upon second offense, the violator shall be removed from the meeting.

Revised: July 2020
SOURCE: MASC Updated May 2023
UPDATED: July 2023

SCHOOL COMMITTEE ELECTIONS

In order to serve on the School Committee, an individual must be a registered voter in the City of New Bedford and must take an oath of office as required by law.

Each new member will present to the Committee secretary official certification of having sworn the oath before an officer duly qualified to administer oaths prior to entering on their official duties as a member of the Committee.

From the Municipal or District Clerk, newly qualified Committee members, by law, receive and sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

Newly qualified School Committee members shall, by law, receive and sign a receipt for, within 30 days of taking office, a copy of the Massachusetts Ethics Commission's Summary of Conflict of Interest laws. As municipal employees, all School Committee members shall receive a copy of said summary annually. All School Committee members shall, within 30 days of taking office, and every 2 years thereafter, complete the Massachusetts Ethics Commission's online training program. Upon completion of the online training program, members shall provide notice of such completion to be retained for 6 years by the Municipal or District clerk.

Statutory

SOURCE: MASC Updated May 2023
UPDATED: July 2023
LEGAL REF.: M.G.L. 30A:20; 41:1; 41:107; 76:5; 268A; 27-28

CROSS REF.: BBBC/BBBD/BBBE, School Committee Member Resignation/Removal from Office/Unexpired Term Fulfillment

SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

In order to serve on the School Committee, an individual must be a United States citizen and a registered voter of the City, and must take an oath of office as required by law.

Each new member will present to the Committee secretary official certification of having sworn the oath before an officer duly qualified to administer oaths prior to entering on their official duties as a member of the Committee.

From the Municipal Clerk, newly qualified School Committee members, by law, receive, sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

Newly qualified Committee members shall, by law, receive and sign a receipt for, within 30 days of taking office, a copy of the Massachusetts Ethics Commission's Summary of the Conflict of Interest laws. As municipal employees, all School Committee members shall receive a copy of said summary annually. All School Committee members shall, within 30 days of taking office and every 2 years, thereafter, complete the Massachusetts Ethics Commission's online training program. Upon completion of the online training program members shall provide notice of such completion to be retained for 6 years by the Municipal or District Clerk.

No member of the School Committee, except the mayor, shall, while an elected or appointed member of the Committee, hold any other office or position for which the salary or compensation is payable out of the school department budget.

Statutory

LEGAL REFS.: M.G.L. 41:107, 43:32, and the General Laws of Massachusetts Relating to Election of Town Officers

SOURCE: MASC Updated 2023
UPDATED: July 2023

**SCHOOL COMMITTEE MEMBER RESIGNATION/REMOVAL FROM OFFICE/
UNEXPIRED TERM FULFILLMENT**

A current School Committee member who submits a resignation to the appropriate certifying authority terminates School Committee duties at the time of such resignation unless a later time is stated in the resignation

A School Committee member who moves from New Bedford is deemed to have vacated their office.

When a vacancy occurs on the School Committee as a result of resignation or other reason, the city council and the remaining members of the School Committee meet in joint convention and elect a suitable person to fill the vacancy until the next regular municipal election, when a person is elected to fill any remaining portion of the unexpired term.

Statutory

LEGAL REFS.: M.G.L. 41:19, 43:36
SOURCE: MASC Reviewed May 2023
UPDATED: July 2023

SCHOOL COMMITTEE MEMBER ETHICS
(Massachusetts Association of School Committees Code of Ethics)

Preamble

The acceptance of a code of ethics implies the understanding of the basic organization of School Committees under the Laws of the Commonwealth of Massachusetts. The oath of office of a School Committee member binds the individual member to adherence to those state laws which apply to School Committees, since School Committees are agencies of the state.

This code of ethics delineates three areas of responsibility of School Committee members in addition to that implied above:

1. Community responsibility
2. Responsibility to school administration
3. Relationships to fellow Committee members

A School Committee member in his/her relations with his/her community should:

1. Realize that his/her primary responsibility is to the children.
2. Recognize that his/her basic function is to be policy making and not administrative.
3. Remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
4. Be well informed concerning the duties of a Committee member on both a local and state level.
5. Remember that he/she represents the entire community at all times.
6. Accept the office as a Committee member as means of unselfish service with no intent to "play politics," in any sense of the word, or to benefit personally from his/her Committee activities.

A School Committee member in his/her relations with his/her school administration should:

1. Endeavor to establish sound, clearly defined policies which will direct and support the administration.
2. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
3. Give the chief administrator full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results.

4. Refer all complaints to the administrative staff for solution and only discuss them at Committee meetings if such solutions fail.

A School Committee in his/her relations with his/her fellow Committee members should:

1. Recognize that action at official meetings is binding and that he/she alone cannot bind the Committee outside of such meetings.
2. Realize that he/she should not make statements or promises of how he/she will vote on matters that will come before the Committee.
3. Uphold the intent of executive sessions and respect the privileged communications that exists in executive sessions.
4. Not withhold pertinent information on school matters or personnel problems, either from members of his/her own Committee or from members of other Committees who may be seeking help or information on school problems
5. Make decisions only after all facts on a question have been presented and discussed.

SOURCE: Massachusetts Association of School Committees, 5/22/64

Updated: 1/11/2016

SCHOOL COMMITTEE ORGANIZATIONAL MEETING

The School Committee shall organize annually on the second Monday in January and shall elect a vice-chairperson for the ensuing year.

Updated: 1/11/2016

SCHOOL COMMITTEE OFFICERS

The mayor of the City of New Bedford serves as chairperson of the School Committee.

Duties of Chairperson

The chairperson shall preside at all meetings of the School Committee and shall perform other duties as directed by law, State Department of Education regulations, and by this Committee. In carrying out these responsibilities, the chairperson shall:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Committee
2. Consult with the Superintendent in the planning of the Committee's agendas
3. Confer with the Superintendent on crucial matters which may occur between or during Committee meetings
4. Appoint School Committee subcommittees, subject to the Committee's approval
5. Call special meetings of the Committee as found necessary
6. Be public spokesperson for the Committee at all times except as this responsibility is specifically delegated to others
7. Be responsible for the orderly conduct of all Committee meetings.

As presiding officer at all meetings of the School Committee, the chairperson shall:

1. Call the meeting to order at the appointed time
2. Announce the business to come before the Committee in its proper order
3. Enforce the Committee's policies relating to the order of business and the conduct of meetings
4. Recognize persons listed on the agenda who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Explain what the effect of a motion would be if this is not clear to members.
6. Restrict discussion to the question when a motion is before the Committee
7. Answer all parliamentary inquiries, referring questions of legality to the city solicitor or School Committee-appointed attorney
8. Put motions to a vote, stating definitely and clearly the vote and result thereof.

The chairperson shall have the right, as other Committee members have, to offer resolutions, discuss questions, and to vote.

Duties of Vice-Chairperson

In the absence of the chairperson, the vice-chairperson shall perform all the duties of the chairperson.

Duties of Secretary

The secretary shall be responsible for insuring that a record is kept of all business transacted by the School Committee at either regular or duly called special meetings and shall perform such other functions that are ordinarily functions of this office.

LEGAL REF.: M.G.L. 43:31

SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

The Committee will leave to the Superintendent all matters of decision and administration that come within his/her scope as executive officer or as professional leader of the school system. While the Committee reserves to itself the ultimate decision of all matters concerning general policy or expenditures of funds, it will normally proceed in these areas only after receiving recommendations from its executive officer. Further:

1. The Superintendent will have the privilege of asking guidance from the Committee with respect to matters of operation whenever appropriate. If it is necessary to make exceptions to an established policy, he/she will submit the matter to the Committee for advice and direction.
2. The Superintendent will assist the Committee in reaching sound judgments and establishing policies, and will place before the Committee all relevant facts, information, and reports necessary to keep the Committee adequately informed of situations or business at hand.

SCHOOL COMMITTEE SUB-COMMITTEES

Standing Sub-committees

The School Committee may authorize the establishment of such standing subcommittees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for Committee action. The following rules will govern the appointment and function of such subcommittees.

1. The subcommittee shall be established through action of the School Committee
2. The subcommittee chairperson and members shall be appointed by the School Committee
3. The subcommittee shall be provided with a list of its functions and duties
4. The subcommittee may make recommendations for School Committee action, but it may not act for the School Committee
5. The School Committee chairperson and Superintendent shall be ex-officio members of all standing subcommittees
6. All standing subcommittees shall be dissolved at the end of the School Committee's year—at the annual organizational meeting. They may be dissolved at any time by a vote of the School Committee.

Special Sub-committees

Special subcommittees may be created for special assignments. The same rules shall apply to special subcommittees as apply to standing subcommittees, except that they shall be dissolved upon completion of their assignment.

SOURCE: MASC Reviewed May 2023
LEGAL REF.: M.G.L. 30A:18-25
CROSS REF.: BEC Executive Sessions
UPDATED: July 2023

ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE

The following general policies will govern the appointment and functioning of advisory committees to the School Committee other than the student advisory committee, which is governed by the terms of the Massachusetts General Laws.

1. Advisory committees may be created by the School Committee to serve as task forces for special purposes or to provide continuing consultation in a particular area of activity. However, there will be no standing overall advisory committee to the School Committee.
2. If an advisory committee is required by state or federal law, its composition and appointment will meet all the guidelines established for that particular type of committee.
3. The composition of task forces and any other advisory committees will be broadly representative and take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to the committee as members or consultants, as found desirable.
4. Appointments to such committees will be made by the Committee; appointment of staff members to such committees will be made by the School Committee upon recommendation of the Superintendent.
5. Tenure of committee members will be one year only unless the member is reappointed.
6. Each committee will be clearly instructed as to:
 - a. The length of time each member is being asked to serve.
 - b. The assignment the School Committee wishes the committee to fulfill and the extent and limitations of its responsibilities.
 - c. The resources the School Committee will provide.
 - d. The approximate dates on which the School Committee wishes to receive major reports.
 - e. School Committee policies governing citizens, committees and the relationship of these committees to the School Committee as a whole, individual School Committee members, the Superintendent, and other members of the professional staff.

- f. Responsibilities for the release of information to the press.
- 7. Recommendations of committees will be based upon research and fact.
- 8. The School Committee possesses certain legal powers and prerogatives that cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the School Committee.

The Committee will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the life of any committee.

CROSS REF.: JIB, Student Involvement in Decision-making

SCHOOL COUNCILS

The School Committee believes that the school is the key unit for educational improvement and change and that successful school improvement is best accomplished through a school-based decision-making process. By involving those directly affected by any action or decision of the school council in the process of determining that action or decision, it helps to strengthen the commitment to those decisions by those most affected by its implementation.

Under this policy, the Principal shall have primary responsibility for the management of the school. Decisions which are made at the school level must be aligned with the budget, policies, curriculum, and long-range and short-range goals adopted by the School Committee. In addition, decisions must comply with any state and federal laws and regulations and with any negotiated agreements of the school District.

As enacted by the state legislature in the Education Reform Act of 1993, a school council shall be established in each school to advise the Principal in specific areas of school operation. The Principal, except as specifically defined in the law, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the Superintendent and School Committee.

The following guidelines define the role of the school council:

The School Council shall meet regularly with the Principal of the school and shall assist in:

1. Adoption of educational goals for the school that are consistent with state and local policies and standards.
2. Identification of the educational needs of the students attending the school.
3. Review of the school building budget.
4. Formulation of a school improvement plan that may be implemented only after review and approval by the Superintendent.

LEGAL REFS.: M.G.L. 71:38Q, 71:59C

SCHOOL IMPROVEMENT PLAN

The Principal, in conjunction with the school council, shall be responsible for preparing a written school improvement plan annually.

This plan shall be written and submitted for approval to the Superintendent no later than July 1 of the year in which the plan is to be implemented and reviewed by of the School Committee. The plan should be drafted with the following in mind:

1. The educational goals for the school consistent with District mission and goals, and the goals and standards, including student performance standards, as adopted by the Massachusetts Board of Elementary and Secondary Education.
2. An assessment of the needs of the school in light of the proposed educational goals.
3. The means to address student performance, with focus on improvement of student learning.
 - a. Specify expected student outcomes and measurable/observable results.
 - b. Clearly identify actions to be taken to implement the goals.
 - c. Indicate anticipated costs and available funding sources.
 - d. Delineate the method of evaluating and reporting progress and results.
4. Professional development for the school's professional staff.
5. The enhancement of parental involvement in the life of the school, safety, and discipline.
 - a. Include a plan on how to solicit community support for the changes being developed.
6. The development of means for meeting the diverse learning needs of every child.
7. The establishment of a culture of inclusion and respectful of diversity.
8. Any further subjects as Principal, in consultation with the school council, shall consider appropriate, except that:
 - a. The council shall have no authority over matters that are subject to Chapter 150E, the collective bargaining laws, and;
 - b. The council may not expand the scope of its authority beyond that established in law or expressly granted by School Committee policy.

If the School Improvement Plan is not approved by the Superintendent, it shall be returned to the Principal with specific comments as to the reason(s). The Principal shall revise the plan in cooperation with the school council, and resubmit it for approval.

Formulation of a school improvement plan that may be implemented only after review and approval of the Superintendent.

SOURCE: MASC – Consolidated and Updated May 2023
UPDATED: July 2023
LEGAL REF.: M.G.L. 71:38Q, 71:59C; C30A:18-15

SCHOOL ATTORNEY

The School Committee may use the services provided by the town counsel. The Committee and the Superintendent may seek his/her services to counsel and represent the school system at various times.

However, because the complexity of school department operations often requires specialized legal services, the Committee may also retain an attorney or law firm to provide additional legal services.

It will be the duty of the counsel for the Committee to advise the School Committee and the Superintendent on the specific legal problems submitted to him. He/she will attend meetings upon request and will be sufficiently familiar with Committee policies, practices, and actions under these policies, and with requirements of the school law to enable him/her to offer the necessary legal advice.

A decision to seek legal advice or assistance on behalf of the school system will be made by the Committee. The Superintendent may also take such action at the direction of the Committee.

Many types of legal assistance are routine and do not require specific Committee approval or prior notice. However, when the Superintendent concludes that unusual types or amounts of professional legal service may be required, he/she will advise the Committee and seek either initial or continuing authorization for such service.

LEGAL REFS.: M.G.L. 71:37E; 71:37F

CONSULTANTS TO THE SCHOOL COMMITTEE

The modern school system is a complex organization established to provide a high quality educational program for children and youth who will live in a changing and highly complex society. Additionally, the school system represents an investment of millions of dollars by the public in the cause of public education. In order to pursue its educational mission and also to protect the public's financial investment in the schools, the School Committee will from time to time engage the services of qualified professional consultants to provide new insights and ideas for dealing with especially difficult problems and/or to provide special services which present staff is unable to provide. The kinds of assistance sought from consultants may include, but will not necessarily be limited to: (1) conducting fact-finding studies, surveys, and research; (2) providing counsel or services requiring special expertise; and (3) assisting the Committee in developing policy and program recommendations.

Before engaging any consultant, the School Committee will require submission of a written proposal which can be incorporated into a contract or a purchase order if it satisfies the wishes of the Committee. Proposals will detail (1) the specific objectives to be accomplished by the consultant; (2) the specific tasks to be performed; (3) the procedures to be used in carrying out the tasks; (4) the target dates for the completion of tasks; and (5) the method to be used to report results to the Committee and/or to deliver any "product" (e.g., long-range plan, codified policy manual, etc.) to the Committee.

The School Committee will not contract for services until all proposals are submitted to the school attorney for review. The Superintendent will establish procedures necessary to affect an efficient working relationship between the consultant and the Committee and/or staff members.

SCHOOL COMMITTEE MEETINGS

The School Committee shall officially transact all business at an open meeting of the Committee, with such exceptions as noted in item three below. The Committee shall hold various types of meetings, including:

1. Regular Meeting—the usual official open meeting of the Committee. Traditionally regular meetings are held once per month on the second Monday unless otherwise scheduled.
2. Special Meeting—an official open meeting called between scheduled regular meetings to consider special topics. The chairperson, or the vice-chairperson, in his/her absence, or three members of the Committee may call a special meeting.
3. Executive Session—an official but private meeting of the School Committee conducted only for the purpose of discussing, deliberating, or voting on those matters which by general or special statute, or federal grant-in-aid requirements, cannot be made public and those matters which if made public might adversely affect the public security, the financial interest of the district, or the reputation of any person.

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

SOURCE: MASC Updated May 2023

LEGAL REFS.: 39:23A, 39:23B; 39:23C

CROSS REF.: BEC, Executive Sessions

BEDA, Notification of School Committee Meetings

UPDATED: July 2023

EXECUTIVE SESSIONS

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.
2. The Chairperson (or, in his/her absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.
3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.
4. The Chairperson or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.
2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.
5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.

7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.
8. And to consider and interview applicants for employment by a preliminary screening committee (The only position that the school committee would be involved in that might qualify would be for the position of Superintendent.) This exemption only applies if it can be determined that an open meeting will have a detrimental effect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.
9. To meet or confer with a mediator with respect to any litigation or public business.
10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

(In the first case, an open meeting will be held if the individual involved so requests.)

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

SOURCE: MASC May 2023
UPDATED: July 2023
LEGAL REFS. : M.G.L. 30A:21; 30A:22
CROSS REFS. : BDE, Subcommittees of the School Committee,
BE, School Committee Meetings
KEB, Public Complaints about School Personnel

SCHOOL COMMITTEE MEETING PROCEDURES

It is the desire of the Committee that meetings shall be formal enough for orderly procedure but informal enough to be natural and to encourage free discussion and to promote group thinking and action.

The Committee desires to be cognizant of the problems, requests, complaints, and suggestions of members of the community, but it is necessary that the Committee not allow the perusal of such matters to interfere with diligent attention to the affairs of the district.

CROSS REF.: BEDH, Public Participation at School Committee Meetings

NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

The times and places of all regular and special meetings of the School Committee shall be filed with the City clerk and posted in that office at least 48 hours in advance of any regular or special meeting.

It shall be the policy of this Committee to notify the Clerk, press, and all Committee members of meeting dates or changes of dates as far in advance as possible. Such notification shall include the meeting date, time and place, and information about the agenda.

LEGAL REFS.: 30A

CROSS REFS.: KDB, Public's Right to Know

AGENDA FORMAT

The Superintendent, conferring with the Chairperson of the School Committee, will arrange the order of items on meetings agendas so that the Committee can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping with the business at hand.

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Committee, or to expedite Committee business.

Any School Committee member, staff member, or citizen may suggest items of business. The inclusion of such items, however, will be at the discretion of the Chairperson of the Committee in consultation with the Superintendent. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent.

The agenda will also provide for time when any citizen who wishes may speak briefly before the School Committee.

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

Agendas will be posted and made available to the press.

AGENDA PREPARATION AND DISSEMINATION

The Superintendent shall prepare all agendas for meetings of the School Committee. In doing so, the Superintendent shall consult, as he/she finds necessary, with the School Committee chairperson or vice-chairperson, and appropriate members of the administrative staff.

Items of business may be suggested by any Committee member, staff member, or citizen of the district; the inclusion of such items shall be at the discretion of the superintendent.

The Committee shall follow the order of business setup by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Committee agrees to consider them. The Committee, however, may not revise its policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, shall be distributed to Committee members sufficiently prior to the Committee meeting, if at all possible, to permit them to give items of business careful consideration. The agenda shall also be made available to the press, representatives of community, staff groups and to others upon request.

QUORUM

A majority of the full membership of the School Committee, that is four members, shall constitute a quorum. In the absence of a quorum, the only official action that the Committee may take is to adjourn the meeting to another time and/or date.

LEGAL REF.: M.G.L. 30A

RULES OF ORDER

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

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

VOTING METHOD

Four members shall constitute a quorum for the transaction of ordinary business; however, a vote by a majority of the whole Committee shall be required for the following:

1. Suspension of policy or by-law
2. Amendment of policy of by-law
3. Appointment of Superintendent, Business Manager, Assistant Superintendent and Special Education Director
4. Alteration of salaries of personnel.

All votes shall be taken via voice by "yea" or "nay", and all votes shall be entered in the records of the School Committee.

LEGAL REF.: Chapter 341 of the General Laws of Massachusetts, as amended by Section 4 of Chapter 46 of the Acts of 1921

MINUTES

The minutes of a School Committee meeting constitute the written record of Committee actions; they are legal evidence of what the action was. Therefore, the secretary of the School Committee will be responsible for reporting in the minutes all actions taken by the Committee.

Minutes will include:

1. The date, time, place, the members present or absent, annotated as to arrival and departure times, if during the meeting, a summary of each subject, and a list of documents and exhibits used at the meeting,
2. A complete record of official actions taken by the Committee relative to the Superintendent's recommendations, to communications, and to all business transacted. Resolutions and motions will be given in their exact wording, accompanied by the names of members moving and seconding and a record of the results of the vote. Reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
3. Notation of formal adjournment.

Copies of the minutes will be sent to all Committee members at least 48 hours in advance of the meeting at which the minutes are to be approved. Minutes of all meetings shall be created and approved in a timely manner which is defined in regulation as within the next 3 meetings of the body or within 30 days, whichever is later.

The approved minutes will become permanent records of the Committee. Minutes of public meetings and minutes of executive sessions that have been declassified will be in the custody of the Superintendent who will make them available to interested citizens upon request.

NOTE: Specific comments and/or discussion should only be included in the minutes as a result of a vote of the Committee. The minutes are not a transcript of the meeting. Documents used during a School Committee meeting become part of the official record and must be maintained, based upon their content, in accordance with the Commonwealth's Municipal Public Records Retention Schedule.

SOURCE:	MASC
LEGAL REFS.:	M.G.L. 30A:22; 66:10; 940 CMR 29.00
CROSS REF.:	KDB, Public's Right to Know; BEC, Executive Session
AMENDED:	January 13, 2020

PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desires individuals to attend its meetings so that they may become better acquainted with the operations and the programs of our local public schools. In addition, the Committee would like the opportunity to hear public comment.

Public comment is not a discussion, debate or dialogue between individuals and the School Committee. It is an individual's opportunity to express an opinion on issues within the School Committee's authority.

To ensure the ability of the School Committee to conduct the District's business in an orderly manner, the following rules and procedures are adopted:

1. At the start of the regularly scheduled School Committee meeting, individuals will sign in for an opportunity to speak during public comment. The public comment segment shall not exceed 15 minutes. All speakers are encouraged to present remarks in a respectful manner;
2. Speakers will be allowed up to three (3) minutes to present their material and must begin their comments by stating their name and city/town. The presiding Chair may permit extension of this time limit in extenuating circumstances;
3. Topics for discussion should be limited to those items within the School Committee's scope of authority. The authority of the School Committee primarily concerns the review and approval of the budget of the district's public schools, the performance of the Superintendent, and the educational goals and policies of the district's public schools. Comments and complaints regarding school personnel (apart from the Superintendent) or students are generally prohibited unless those comments and complaints concern matters within the scope of School Committee authority;
4. The Chair of the meeting, after a warning, reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats that are likely to provoke a violent reaction and cause a breach of the peace, or incitement to imminent lawless conduct, or obscenities;
5. Written comments longer than three (3) minutes may be presented to the presiding Chair before or after the meeting. All remarks will be addressed through the Chair of the meeting. Comments made during a public comment

portion of the meeting do not necessarily reflect the views or positions of the School Committee.

6. Sign up instructions will be provided for those who wish to participate in public comment.

LEGAL REFS.: M.G.L. c.30A: 18-25

CROSS REFS.: BS School Committee Meetings

BEC Executive Sessions

BEDA Notification of School Committee Meetings

SOURCE: MASC

Revised: July 2020

SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

In conducting all public hearings required by law, and others as it deems advisable, the School Committee shall:

1. Give due and public notice in line with statutory requirements and in addition, seek to publicize the meeting in all local media.
2. Make available printed information on the topic of the hearing.
3. Give all persons an equal opportunity to be heard in accordance with the Committee's policy.

The chairperson of the Committee, or other member on his/her and the Committee's approval, shall preside at the hearing.

The public shall be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Committee, or by others for the Committee; to remark, citizens must be recognized by the chair, and all remarks must be addressed to the chair and be germane to the topic. To assure that all who wish to get a chance to speak, the chair will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

CROSS REF.: DBF/DBG, Dissemination of Budget Recommendations/ Hearings and Reviews

SCHOOL COMMITTEE POLICY DEVELOPMENT

The School Committee will develop policies and put them in writing so that they may serve as a guide for the discretionary action of those to whom it delegates authority.

The Committee considers policy development its chief function, along with providing the wherewithal such as personnel, buildings, materials, and equipment for the successful administration, application, and execution of its policies.

The formulation and adoption of these written policies will constitute the basic method by which the School Committee will exercise its leadership in providing for the successful and efficient functioning of the school district. Through the study and evaluation of reports concerning the execution of its policies, the School Committee will exercise its control over school operation.

Policies and principals adopted by a School Committee to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting day-to-day problems, yet be specific enough to give clear guidance.

The policies of the School Committee are framed, and are meant to be interpreted in terms of state law, regulations of the Massachusetts Board of Elementary and Secondary Education, and other regulatory agencies of the various levels of government.

SOURCE: MASC updated May 2023
UPDATED: July 2023

PRELIMINARY DEVELOPMENT OF POLICIES/POLICY ADOPTION

Although the School Committee shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority, it recognizes the fact that the formulation of a written policy is a matter deserving of lengthy and serious study.

In the formulation and adoption of these written policies which constitute the basic method by which the School Committee exercises its leadership in the operation of the school system, the opportunity to participate in the discussions which lead to the drafting of a proposed policy, shall be extended through the superintendent to a representative group of school department personnel.

The secretary of the School Committee shall have final responsibility for submitting the policies in written form for the approval of the Committee.

Policies and policy revisions introduced shall not be adopted until a subsequent meeting. Thus, time shall be given to permit further study and also to give opportunity to interested parties to react. However, temporary approval may be granted by the Committee in lieu of formal policy to meet emergency conditions or special events which will take place before formal action can be taken.

The formal adoption of policies shall be recorded in the minutes of the School Committee. Only those written statements so adopted and so recorded shall be regarded as official School Committee policy.

POLICY REVISION AND REVIEW

In an effort to keep its written policies up to date so that they can be used consistently as a basis for School Committee action and administrative decision, the Committee will review its policies on a regular basis.

In its review, the Committee will evaluate how the policies have been implemented. It will consider feedback from school staff, students, and the community when revising policies, as appropriate.

The Superintendent is expected to call to the attention of the Committee all policies that are out of date or for other reason appear to need revision.

The School Committee directs the Superintendent to periodically recall all policy and regulations manuals for administrative updating and Committee review.

SOURCE: MASC Updated 2022
UPDATED: July 2023

SCHOOL COMMITTEE REVIEW OF PROCEDURES

It is expected that the Superintendent and administrative staff will need to issue procedures implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the procedures developed by the Superintendent for the school system whenever they appear inconsistent with policy, goals, or objectives of the District, but it will revise or veto such procedures only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve procedures except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for a procedure to have the Committee's advance approval.

Rules Pertaining to Staff and Student Conduct

Under Massachusetts law, the Superintendent is required to publish "rules and regulations pertaining to the conduct of teachers and students which have been adopted." Codes of discipline, as well as procedures used to develop such codes, shall be filed with the Department of Education for information purposes only. Standards of conduct will be included in staff and student handbooks. These handbooks will be reviewed and approved annually by the School Committee.

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

POLICY DISSEMINATION

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Committee and the procedures needed to put them into effect.

Accessibility is to extend at least to all employees of the school system, to members of the Committee, and, insofar as conveniently possible, to all persons in the community. A policy concerning a particular group or groups in the schools will be distributed to those groups prior to the policy's effective date.

The School Committee's policy manual will be considered a public record and will be available for inspection at the Superintendent's office.

SUSPENSION OF POLICIES

The operation of any section or sections of School Committee policies not established by law or contract may be temporarily suspended by a two-thirds vote of Committee members present at any regular or special meeting. Any action to suspend policy must be reviewed at the next scheduled meeting and will be so noted on the agenda for that meeting.

SCHOOL COMMITTEE-STAFF COMMUNICATIONS

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

Staff Communications to the School Committee

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

School Committee Communications to Staff

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

Visits to Schools

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

Social Interaction

Staff and Committee members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general school district problems. However, staff members are reminded that individual Committee members have no special authority excepting when they are convened at a legal meeting of the School Committee or vested with special authority by Committee action. Therefore, discussions by either party of personalities or personnel grievances will be considered as evidence of unethical conduct.

USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), social media platforms, internet web forums, and internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including, but not limited to, the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the School Committee chairperson, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic mail correspondence between and among members of the School Committee, or the district shall provide district email addresses, which are archived. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

SOURCE: MASC Updated 2023
UPDATED: July 2023
LEGAL REF.: M.G.L.4:7; 39:23A, 23B; 66:10

NEW SCHOOL COMMITTEE MEMBER ORIENTATION

In accordance with the requirements of Massachusetts General Law Chapter 71, Section 36A as amended on December 24th, 2002 each new School Committee member elected to the New Bedford School Committee is required to complete, within one year of their election or appointment, at least eight hours of orientation training. This orientation shall include, but is not limited to, a review of School Finance, the Open Meeting Law, Public Records Law, Conflict of Interest Law, Special Education Law, Collective Bargaining, School Leadership Standards and Evaluations, and the Roles and Responsibilities of School Committee Members.

The School Committee and Superintendent shall assist each new member to understand the Committee's functions, policies and procedures of the Committee as soon after election as possible. Each new member shall be given the following materials:

- A. A copy of the School Committee policy manual
- B. A copy of the Open Meeting Law
- C. A copy of the Conflict of Interest Regulations
- D. A copy of the district's budget
- E. Collective bargaining agreements and contracts
- F. Student and staff handbooks

Each new member shall also receive any other materials the Chair and/or the Superintendent determine to be necessary.

The Chair and/or Superintendent shall also clarify policy:

- A. arranging visits to schools or administrative offices
- B. requesting information regarding school district operations
- C. responding to community requests/complaints concerning staff or programs
- D. handling confidential information

Whether appointed or elected, new members should be advised that they are also members of the Massachusetts Association of School Committees, Inc. and should be encouraged to utilize the services and resources MASC provides by attending meetings or workshops specifically designed for new Committee members. Their expenses at these meetings or workshops will be reimbursed in accordance with established School Committee policy.

LEGAL REF.: M.G.L. 71:36A

SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

In provide continuing in-service training and development for its members, the School Committee encourages the participation of all members at appropriate school committee conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the Committee establishes these principles and procedures for its guidance.

1. The School Committee will be made aware of School Committee conferences, conventions and workshops. The Committee will periodically decide which meetings appear to be the most promising terms of producing direct and indirect benefits to the school district.
2. Funds for participation at such meetings will be budgeted for on an annual basis. When funds are limited, the Committee will designate which of its members would be the most appropriate to participate at a given meeting.
3. Reimbursement to Committee members for their travel expenses will be in accordance with the travel reimbursement policy.
4. When a conference, convention, or workshop is not attended by the full committee, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

SOURCE: MASC Updated May 2023
UPDATED: July 2023
LEGAL REF.: M.G.L. 40:5
CROSS REF.: BID School Committee Member Compensation and Expenses
DKC Expense Reimbursements

SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES

School Committee members shall serve without compensation, unless otherwise eligible under city or town charter or regional agreement. No member of the School Committee in any town shall be eligible for the position of teacher or Superintendent of public schools therein, or in any union school or superintendency union or district in which their town participates.

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Committee, members may be reimbursed from school funds.

Reimbursement expenses may include the cost of attendance at conferences of school board associations and other professional meetings/visitations when such attendance and expense payment has had prior Committee approval.

SOURCE: MASC Updated May 2023
LEGAL REF.: M.G.L. 71:52
CROSS REF.: BIBA School Committee Conferences, Conventions and Workshops
UPDATED: July 2023

SCHOOL COMMITTEE LEGISLATIVE PROGRAM

The School Committee, as an agent of the state, must operate within the bounds of state and federal laws affecting public education. If the Committee is to meet its responsibilities to the residents and students of this community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause.

To this end:

1. The Committee will keep itself informed of pending legislation and actively communicate its concerns and make its position known to elected representatives at both the state and national level.
2. The Committee will work with its legislative representatives (both state and federal), with the Massachusetts Association of School Committees, and other concerned groups in developing an annual, as well as a long-range, legislative program. One of the major objectives of the Committee's legislative program will be to seek full funding for all state and federally mandated programs.
3. The Committee will annually designate a person--who may or may not be a member of the Committee--to serve as its legislative representative. This person will be authorized to speak on the Committee's behalf with respect to legislation being considered by the Massachusetts Legislature or the United States Congress or their respective committees. In all dealings with individual elected representatives, the Legislature or Congress, the Committee's representative will be bound by the official positions taken by the School Committee.

SCHOOL COMMITTEE MEMBERSHIPS

The School Committee shall maintain membership in the Massachusetts Association of School Committees.

Through its membership in this organization it is an indirect member of the National School Boards Association. The Committee and its members shall actively participate in the activities of these organizations insofar as possible.

The district shall hold institutional membership in such other educational associations and groups as approved by the Committee.

SECTION C

GENERAL SCHOOL ADMINISTRATION

CA	ADMINISTRATION GOALS
CB	SCHOOL SUPERINTENDENT
CBD	SUPERINTENDENT'S CONTRACT
CBI	EVALUATION OF THE SUPERINTENDENT
CC	ADMINISTRATIVE ORGANIZATION PLAN
CCB	LINE AND STAFF RELATIONS
CDA	EVALUATION OF THE PROFESSIONAL STAFF
CE	ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES
CF	SCHOOL BUILDING ADMINISTRATION
CH	POLICY IMPLEMENTATION
CHA	DEVELOPMENT OF REGULATIONS
CHB	SCHOOL COMMITTEE REVIEW OF REGULATIONS
CHC	REGULATIONS DISSEMINATION
CHCA	APPROVAL OF HANDBOOKS AND DIRECTIVES
CHD	ADMINISTRATION IN POLICY ABSENCE
CL	ADMINISTRATIVE REPORTS
CM	SCHOOL DISTRICT ANNUAL REPORT

ADMINISTRATION GOALS

It is the intent of the School Committee that the District employ qualified personnel to administer the school system efficiently and to require the Superintendent to organize the administration in a manner that will make clear the functions of each position and the relationships among them.

The Superintendent will establish clear lines of communication, both vertically and horizontally, and will form any staff councils or committees needed to provide for efficient conduct of school business. In order to engage in this process in an orderly and effective fashion, each individual and group will be given particular, clear-cut responsibilities. Channels will be established so that the recommendations and decisions of each group can be heard and reviewed by the chief administrative officer concerned, and, where appropriate, by the Superintendent and School Committee.

The organization and administration of the schools will balance responsibility with commensurate authority, subject to the reserved legal powers of the School Committee. This means that a staff member, when assigned a responsibility or a position, will be given the authority to make the decisions necessary to perform the assigned tasks.

For the schools to operate effectively, each administrative officer will be responsible and accountable for making a plan of development for all staff assigned to his/her area of operation.

SCHOOL SUPERINTENDENT

The Committee shall employ a Superintendent of Schools and fix his/her compensation. The Superintendent shall act in accordance with General Laws, Chapter 71, Section 59, and shall perform such other duties consistent with this section as the Committee may determine. He/she shall also prepare such reports as may be required by the State Department of Education and shall submit materials for the Committee's annual report to the Mayor and City Council in sufficient time for printing in the annual report.

LEGAL REFS: M.G.L. 71:59, 72:3

SUPERINTENDENT'S CONTRACT

The Committee, upon the appointment of a candidate or upon reappointment of the incumbent Superintendent, will enter into a written contract with the Superintendent which will meet the requirements of law and will protect the rights of both the Committee and the Superintendent.

LEGAL REFS.: M.G.L. 71:41; 71:42

NOTE: Under the laws of the Commonwealth, the School Committee may award a contract to a Superintendent of schools for a period not to exceed six years.

EVALUATION OF THE SUPERINTENDENT

Through annual evaluation of the Superintendent, the School Committee shall strive to accomplish the following:

1. Clarify for the Superintendent his/her role in the school system as seen by the School Committee.
2. Clarify for all Committee members the role of the Superintendent in the light of his/her job description and the immediate priorities among his/her responsibilities as agreed upon by the Committee and the Superintendent.
3. Develop harmonious working relationships between the School Committee and Superintendent.
4. Provide administrative leadership of excellence for the school system.

The School Committee shall periodically develop with the Superintendent a set of performance objectives based on the needs of the school system. The Superintendent's performance shall be reviewed in accordance with these specified goals. Additional objectives shall be established at intervals agreed upon with the Superintendent.

LEGAL REF.: 603 CMR 35:00

ADMINISTRATIVE ORGANIZATION PLAN

The School Committee desires the administrative organizational structure of the school system to accommodate and enhance the attainment of the objectives set forth for the schools, particularly those relating to the educational program.

The legal authority of the School Committee is transmitted through the Superintendent along specific paths from person to person through the approved Table of Organization on file in the School Department's Job Description Manual.

The lines of the organizational chart represent direction of authority and responsibility and are not intended to restrict cooperation among staff members at all levels or the flow of ideas necessary in the decision-making processes.

The Superintendent shall be responsible for keeping the administrative structure of the school system up-to-date with the changes in goals, curriculum, instructional arrangements, and school services, and shall recommend revisions in the structure as necessary to the School Committee.

CROSS REF.: CF, School Building Administration

LINE AND STAFF RELATIONS

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

Lines of direct authority shall be those approved by the Committee and shown on the District's Table of Organization..

Personnel shall be expected to refer matters requiring administrative action to the administrator to whom they are responsible. The administrator shall refer such matters to the next higher administrative authority when necessary. Additionally, all personnel are expected to keep the person to whom they are immediately responsible informed of their activities.

It is expected that the established lines of authority will serve most purposes. But all personnel shall have the right to appeal any decision made by an administrative officer through grievance procedures established through Committee policy and/or collective bargaining agreements.

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

CROSS REFS.: BHC, School Committee-Staff Communications

EVALUATION OF THE PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the district schools, a continuous program for teacher and administrator evaluation shall be established.

The evaluation process shall include:

- the development and periodic review of techniques and procedures for making evaluations
- interpretation of the information gained in the evaluative process in terms of the objectives of the instructional program
- the application of the information gained to the planning of staff development and in-service training activities which are designed to improve instruction and increase teacher competence.

The evaluation process may include self-evaluation, supervisor-initiated observations, and teacher-initiated observations.

ADMINISTRATIVE COUNCILS, CABINETS AND COMMITTEES

The Superintendent may establish such permanent or temporary councils, cabinets, and committees as he/she deems necessary for assuring staff participation in decision making, for implementing policies and regulations and for the improvement of the educational program.

Functioning in an advisory capacity, all councils, cabinets and committees created by the Superintendent may make recommendations for submission to the School Committee through the Superintendent. Such groups will exercise no inherent authority. Authority for establishing policy remains with the Committee and authority for implementing policy remains with the Superintendent.

The membership, composition and responsibilities of administrative councils, cabinets and committees will be defined by the Superintendent and may be changed at his/her discretion. However, the School Committee wishes to be kept informed of the establishment and dissolution of these groups as well as their membership and their purpose.

Expenses incurred by such groups for consultative services, materials, and any investigative travel will be paid by the school system, but only within budgetary allotments and when approved in advance by the Superintendent.

SCHOOL BUILDING ADMINISTRATION

Each building Principal shall act as the chief administrative officer for his/her assigned school building and grounds, subject to the supervision and direction of the Superintendent or designee. He/she shall be responsible for and shall have authority over the actions of students, professional and support staff employees, visitors, and persons hired to perform special tasks.

Each Principal shall keep the Superintendent informed of activities in their buildings by whatever means the Superintendent deems appropriate.

Current practice codified 1975

LEGAL REF.: 71:59B

POLICY IMPLEMENTATION

The Superintendent has responsibility for carrying out, through administrative regulations, the policies established by the School Committee.

The policies developed by the Committee and the administrative regulations developed to implement policy are designed to increase the probability of an effective and efficient school system. Consequently, it is assumed that all School Committee employees and students will willingly carry them out.

Employees in superordinate positions are responsible for informing subordinates of existing policies and regulations and for seeing that they are implemented in the spirit intended. Continuous disregard for Committee policy and administrative regulation may be interpreted as willful neglect of duty.

DEVELOPMENT OF REGULATIONS

The Superintendent will be responsible for specifying required actions and designing the detailed arrangements under which the school system will be operated in accordance with School Committee policy. These detailed arrangements will be designed to implement policies, goals, and objectives of the Committee and will be one of the means by which the school system will be governed.

In the development of regulations, the Superintendent may involve at the planning stage those who would be affected by the regulations, including staff members, students, parents/guardians, and the public. He/she must weigh with care the counsel given by representatives of staff, student and community organizations. He/she will inform the Committee of such counsel in presenting pertinent reports of regulations and in presenting regulations for Committee approval.

As long as the Superintendent operates within the guidelines of policy adopted by the Committee, he/she may issue regulations without prior Committee approval unless Committee action is required by law, or the Committee has specifically asked that certain types of regulations be given Committee approval, or the Superintendent recommends Committee approval in light of strong community attitudes or probable staff reactions.

Adopted/Reviewed/Updated:1/11/2016

SCHOOL COMMITTEE REVIEW OF REGULATIONS

It is expected that the Superintendent and administrative staff will need to issue regulations implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the regulations developed by the Superintendent for the school system whenever they appear inconsistent with policy, goals, or objectives of the district, but it will revise or veto such regulations only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve regulations except as required by state law, or in cases when strong community attitudes or possible student or staff reaction make it necessary or advisable for a regulation to have the Committee's advance approval.

Rules Pertaining to Staff and Student Conduct

Under Massachusetts law, the Superintendent is required to publish "rules and regulations pertaining to the conduct of teachers and students which have been adopted." (Codes of discipline, as well as procedures used to develop such codes shall be filed with the Department of Education for information purposes only.) Standards of conduct will be included in staff and student handbooks. These handbooks will be reviewed and approved annually by the School Committee.

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

REGULATIONS DISSEMINATION

It will be the responsibility of the Superintendent to see that the regulations developed to implement Committee policies and administer the school system are appropriately coded and included as regulations in the School Committee's policy manual.

A regulation concerning a particular group or groups in the schools will be distributed to the group(s) prior to the effective date of the regulation.

APPROVAL OF HANDBOOKS AND DIRECTIVES

The Principal, in consultation with the school council, shall prepare and distribute to each student a handbook setting forth the rules pertaining to conduct of students. The school council shall review the handbook each spring to consider changes in the disciplinary policy to take effect in September.

It is essential that the contents of all handbooks conform to School Committee policies. It is also important that all handbooks bearing the name of the school system or one of its schools be of a quality that reflects credit on the school department. Therefore, the Committee expects handbooks requiring approval to be approved prior to publication by the Committee and/or the Superintendent.

Committee approval will be necessary for any handbooks that pertain to required standards of conduct for employees or students so that their contents may be accorded the status of Committee-approved policy or regulation. The Superintendent will use his/her judgment as to whether other specific handbooks need Committee approval; however, all handbooks published will be made available to the Committee for informational purposes.

LEGAL REFS.: M.G.L. 71:37H; 71:37H ½

ADMINISTRATION IN POLICY ABSENCE

In cases when action must be taken within the school system where the Committee has provided no guides for administrative action, the Superintendent shall have the power to act.

His/her decisions, however, shall be subject to review by the Committee at its next regular meeting. It shall be the duty of the Superintendent to inform the Committee promptly of such action and of the need for policy.

ADMINISTRATIVE REPORTS

The School Committee will require reports from the Superintendent concerning conditions of efficiency and needs of the schools.

School building administrators will be required to keep such records and make reports as the Superintendent may direct or require.

Upon receipt of the Superintendent's reports, the Committee will take steps to appraise the effectiveness with which the schools are achieving the educational purposes of the school system.

Because statistical information often has a time value, each administrator will give careful consideration to all procedures related to reports, accounting, and general business matters that are required for the administration of the school program and will make accurate and prompt return on scheduled dates of all required statistical and other information.

SCHOOL DISTRICT ANNUAL REPORT

An annual report covering the diversified activities of the school system and the administration's recommendations for their improvement shall be prepared by the Superintendent and presented to the School Committee as soon as possible after the close of each year. Upon Committee approval, the report shall be made available to the public and used as one means for informing parents and citizens, the state education agency, and other school districts in the area of the programs and conditions of the district's schools.

LEGAL REF.: M.G.L. 72:4

SECTION D

FISCAL MANAGEMENT

DA	FISCAL MANAGEMENT GOALS
DB	ANNUAL BUDGET
DBB	FISCAL YEAR
DBC	BUDGET PLANNING
DBD	BUDGET PLANNING
DBE/ DBF	DISSEMINATION OF BUDGET RECOMMENDATIONS/HEARINGS AND REVIEWS
DBJ	BUDGET TRANSFER AUTHORITY
DD	FUNDING PROPOSALS AND APPLICATIONS
DH	BONDED EMPLOYEES AND OFFICERS
DI	FISCAL ACCOUNTING AND REPORTING
DID	INVENTORY CONTROL POLICY
DIE	AUDITS
DJ	PURCHASING
DJA	PURCHASING AUTHORITY
DJE	BIDDING REQUIREMENTS
DJGA	SALES CALLS AND DEMONSTRATIONS
DK	PAYMENT PROCEDURES
DKA	PAYROLL PROCEDURES

DKC EXPENSE REIMBURSEMENTS

DN MANAGEMENT OF SURPLUS SUPPLIES

FISCAL MANAGEMENT GOALS

The quantity and quality of learning programs are directly dependent on the funding provided and the effective, efficient management of those funds. It follows that achievement of the district's purposes can best be achieved through excellent fiscal management. Further, the School Committee recognizes the important trust it has been given with the responsibility of managing a large amount of public resources. As trustee of local, state, and federal funds allocated for use in public education, the Committee will be vigilant in fulfilling its responsibility to see that these funds are used wisely for achievement of the purposes to which they are allocated.

Because of resource limitations, there is sometimes a temptation to operate so that fiscal concerns overshadow the educational program. Recognizing this, it is essential that the District take specific action to make sure education remains central and that fiscal matters are ancillary and contribute to the educational program. This concept shall be incorporated into Committee operations and into all aspects of District management and operation.

In the District's fiscal management, the District seeks to achieve the following goals:

1. To engage in thorough advance planning, with broad-based staff and community involvement, in order to develop budgets and to guide expenditures so as to achieve the greatest educational returns and the greatest contributions to the educational program in relation to dollars expended.
2. To establish levels of funding which will provide high quality education for the district's students.
3. To use the best available techniques for budget development and management.
4. To provide timely and appropriate information to all staff with fiscal management responsibilities.
5. To establish maximum efficiency procedures for accounting, reporting, business, purchasing and delivery, payroll, payment of vendors and contractors, and all other areas of fiscal management.

ANNUAL BUDGET

The annual budget is the financial expression of the educational program of the school department, and it mirrors the problems and difficulties that confront the school system.

The budget then is more than just a financial instrument and requires on the part of the Committee, the staff, and the community orderly and cooperative effort to ensure sound fiscal practices for achieving the educational goals and objectives of the school system.

Public school budgeting is regulated and controlled by legislation, state regulations, and local School Committee requirements. The operating budget for the school system will be prepared and presented in line with state policy and will be developed and refined in accordance with these same requirements.

The Superintendent will serve as budget officer but he/she may delegate portions of this responsibility to members of his/her staff, as he/she deems appropriate. The three general areas of responsibility for the Superintendent as budget officer will be budget preparation, budget presentation, and budget administration.

LEGAL REFS.: M.G.L. 71:34; 71:37 and 71:38N

FISCAL YEAR

As established by state law, the fiscal year of the school system is July 1 to June 30. This is in common with the fiscal year for the state, municipalities, towns, regional and other special school districts, and other governmental bodies.

Statutory

LEGAL REFS.: Chapter 52, Section 10, Acts of 1973 Chapter 184, Sections 1 and 2, Acts of 1974

BUDGET PLANNING

A sound budget development process must be established to ensure that the annual operating budget accurately reflects this school system's goals and objectives.

The budget is a financial planning tool that grounds itself in careful analysis of student achievement, enrollment, mandated services, and community values to allocate resources towards the goals set by the Committee. The first priority in the development of an annual budget will be the educational welfare of the children in our schools.

The budget document shall reflect all sources of revenue. It shall clearly explain how those funds will be used.

In the budget planning process for the school system, the School Committee will:

1. Engage in thorough advance planning, with staff and community involvement, in order to develop budgets and guide expenditures in a manner that will achieve the greatest educational returns and contributions to the educational program in relation to dollars expended.
2. Establish levels of funding that will provide high quality education for all our students.
3. Use the best available techniques for budget development and management.

The Superintendent will have overall responsibility for budget preparation, including the construction of, and adherence to, a budget calendar.

SOURCE: MASC 2021
Revised: January 2023

**DISSEMINATION OF BUDGET
RECOMMENDATIONS/HEARINGS AND REVIEWS**

Following its adoption of a tentative budget, the School Committee shall annually publish a budget document to be made available to community members.

The public shall be invited to attend a hearing at which the School Committee and the Superintendent or his/her designee shall explain the proposed budget and accept questions, comments, and suggestions from the audience.

In accordance with law, notice of the hearing shall be published in a newspaper having general circulation in the City at least seven days prior to the hearing. Other means shall also be used to inform all residents of the hearing and of their opportunity to appear and to speak for or against the whole or any part of the proposed budget.

LEGAL REF.: 71:38N

BUDGET TRANSFER AUTHORITY

In keeping with the need for periodic reconciliation of the District's budget, the School Committee will consider requests for transfers of funds as they are recommended by the Superintendent.

The Committee wishes to be kept abreast of the need for these adjustments so that it may act promptly and expedite financial record keeping for the school system.

All requests for transfers between cost centers as approved during the annual budget deliberation must be submitted to the School Committee for approval as part of the School Business Officer's quarterly report at the business meetings of the School Committee.

All funds in the general account not expended by the close of the fiscal year will be returned to the city.

SOURCE: MASC 2021

Legal Ref: MGL 71:37
DOR 94-660

Cross reference: DBG, Budget Adoption Procedures
DI, Fiscal Accounting and Reporting

Revised: January 2023

GRANTS, PROPOSALS, AND SPECIAL PROJECTS

In accordance with state law, all grants and gifts to the District must be reviewed and accepted by the School Committee before expenditure. The School Committee will encourage the administration to seek and secure all possible sources of state, federal, and other special funds that will enhance the educational opportunities for the children in. in alignment with district goals.

The Superintendent or designee will keep informed of all possible funds available to the school system under the various state and federal programs, and in what manner these funds can best be used in the school system.

The Superintendent or designee will be responsible for seeking out and coordinating the development of proposals for all specially funded projects and for keeping the Committee apprised and updated on all such projects.

The Superintendent shall ensure the district has and follows a written set of procedures in grant administration that aligns with state and federal laws and regulations.

The Superintendent or designee is authorized to sign all reports for these projects and will be responsible for the proper expenditure of funds received for such projects.

SOURCE: MASC 2021

LEGAL REF.: M.G.L. 44:53A; 71:37A
2 CFR 200 Federal Uniform Administrative Requirements

Revised January 2023

BONDED EMPLOYEES AND OFFICERS

Each employee of the school system who is assigned the responsibility of receiving and disbursing school funds will be bonded individually or covered by a blanket bond. The city will pay the cost of the bond.

SOURCE: MASC 2021

LEGAL REF.: M.G.L. 40:5; 41:109A; 71: 47

CROSS REFS: DI Fiscal Accounting and Reporting
JJF Student Activity Funds

Revised: January 2023

FISCAL ACCOUNTING AND REPORTING

The Superintendent will be ultimately responsible for receiving and properly accounting for all funds of the school district, maintaining effective internal controls so as to assure the effectiveness and efficiency of operations; adequate safeguarding of property; assurance of expenditures in accordance with programs under which revenues are received; and compliance with applicable laws and regulations

The accounting system used shall conform with requirements of the State Department of Education and with good accounting practices, providing for the appropriate separation of accounts, funds, and special moneys.

The School Committee shall receive monthly financial statements from the Superintendent showing the financial condition of the district. Such other financial statements as may be determined necessary by either the Committee or the administration shall be presented as found desirable.

The district administration shall also be responsible for pupil accounting and shall report enrollment and attendance as required by the State.

SOURCE: MASC 2021

LEGAL REF.: MGL Ch. 44:38
603 CMR 10:00
2 CFR 200.303

Cross references: DBJ Budget Transfer Authority
DIE Audits

Revised: January 2023

INVENTORY CONTROL POLICY

1. GENERAL

- A. The adoption of Standard 34 by the Government Standards Board (GASB34) requires in part that government entities maintain formal records of and capitalize assets having a certain threshold value. The value of these assets will be part of the balance sheet financial statement now required by GASB34.
- B. Additionally, the New Bedford School Committee recognizes the need to maintain inventory records for the physical control of items of material in part to assist in replacing items as part of the planning/ budget process and in part to provide security of the items.

2. GENERAL REQUIREMENTS

- A. It is the responsibility of all those who have been delegated the authority to commit School Department funds through the purchasing function of who have been assigned custodial responsibility over property to adhere to this policy.
- B. All real property, defined as land, buildings and appurtenant structures and fixtures attached to the land and building, regardless of the method acquired will be capitalized.
- C. Personal property, defined as all property other than real property, including equipment and materials, having a value equal to or greater than the capitalization threshold value set from time to time by the City of New Bedford shall be capitalized. The value is currently \$10,000.

3. SPECIFIC REQUIREMENTS

- A. The Superintendent of Schools or designee shall promulgate procedures for the management of School Department property in accordance with sound business practices and internal controls.
- B. Custodians of property will take periodic inventory of School Department property when so directed by the Superintendent of Schools and report the results of that inventory in the required form.

AUDITS

An audit of the school department's accounts will be conducted annually by external auditors within nine months of the close of the fiscal year.. This review shall be conducted in accordance with the generally accepted accounting principles and the Government Auditing Standards issued by the U. S. Comptroller General.

Upon completion of the external audit, the superintendent will share the resulting documentation with the Committee. The Committee will consider recommendations made by the auditor for maintaining an efficient system for recording and safeguarding the school department's assets.

Additionally, the district is also subject to the following:

- End of Year Financial Compliance Report: Every Massachusetts school district must submit the results of this report to the Department. This End of Year report must be submitted to the Department on or before September 30 each year.
- Government Accounting Standards Board 34: The District is covered in these government financial statements of revenue and expenditures of the municipality.
- Federal grant audits: As a district that spends about thresholds required, the district is subject to the Single Audit Act.
- Student Activity Account: As required by state law, student activity accounts are audited annually. For accounts that exceed \$25,000, the School Committee shall consider an audit conducted by an outside firm every three years

The Committee may request an additional audit of the school district's accounts at its discretion

SOURCE: MASC 2021

LEGAL REF: M.G.L. 44:38-40; 71:47; 72:3

Cross reference: DI, Fiscal Accounting and Reporting
JJF, Student Activity Accounts

Revised: January 2023

PURCHASING

The School Committee declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended.

The acquisition of materials, equipment and services will be centralized in the Superintendent's office of the school system.

It shall be the responsibility of the Superintendent:

- To procure materials, supplies, equipment, and services at the lowest possible cost consistent with the quality necessary for the proper operation of the District, thereby attaining the maximum value for each public dollar spent;
- To maintain the District's reputation for fairness and integrity and to promote impartial and equal treatment to all who wish to conduct business with the District;
- To encourage a mutually cooperative relationship with requesting departments, recognizing that successful purchasing is a result of team planning and effort;
- To promote social and economic goals such as encouraging local, small, minority, and women-owned businesses to participate in bidding for District purchases.

The Superintendent or designee will serve as purchasing agent. He/she will develop and administer the purchasing program for the schools in keeping with legal requirements and with the adopted school budget.

School purchases will be made only on official purchase orders approved for issuance by the appropriate unit head and signed by the Superintendent or designee, with such exceptions as may be made by the latter for emergency purchases.

LEGAL REFS.: M.G.L. 7:22A; 7:22B; 30B; 71:49A

SOURCE: MASC 2021
Revised January 2023

PURCHASING AUTHORITY

Authority for the purchase of materials, equipment, supplies, and services is extended to the Superintendent or designee through the detailed listing of such items compiled as part of the budget-making process.

The purchase of items and services on such lists requires no further Committee approval except when by law or Committee policy the purchases or services must be put to bid.

LEGAL REF.: M.G.L. 30B

CROSS REF.: DJE, Bidding Requirements

BIDDING REQUIREMENTS

All purchases of materials and equipment and all contracts for construction or maintenance projects whose total cost will conform to the requirements of the law. .

To foster greater efficiency, the District will enter into state and local intergovernmental agreements where appropriate for procurement or use of common or shared services.

For any supply or service over \$50,000, bids will be advertised appropriately. Suppliers will be invited to have their names placed on distribution lists to receive invitations to bid. When specifications are prepared, they will be distributed to all merchants and firms who have indicated an interest in bidding

All bids will be submitted in sealed envelopes, addressed to the Superintendent and plainly marked with the name of the bid and the time of the bid opening. Bids will be opened in public at the time specified, and all bidders will be invited to be present.

The Committee reserves the right to reject any or all bids and to accept the bid that appears to be in the best interest of the school system. The Committee reserves the right to waive any informality in, or reject, any or all bids or any part of any bid. Any bid maybe withdrawn prior to the scheduled time for the opening of the bids. Any bid received after the time and date specified will not be considered. All bids will remain firm for a period of 30 days after opening.

The bidder to whom an award is made may be required to enter into a written contract with the school system.

A procurement for a supply or service in the amount of \$10,000 or greater by not more than \$50,000 shall be awarded to the responsible party offering the needed quantity or supply among three written quotations sought and retained by the procurement officer.

A procurement in the amount of \$10,000 or less shall be obtained through the exercise of sound business practices.

LEGAL REFS.: M.G.L. 7:22A; 7:22B; 30:39M 30B

CROSS REF.: DJA, Purchasing Authority

Source: MASC 2021

Revised: January 2023

SALES CALLS AND DEMONSTRATIONS

Salespeople are not permitted to call on teachers or other school staff members without authorization from the school administration.

School principals may give permission to sales representatives of educational products to see members of the school staff at times that will not interfere with the educational program.

PAYMENT PROCEDURES

All claims for payment from district funds will be processed in accordance with procedures developed by the Superintendent. . Payment shall be authorized against invoices properly supported by approved purchase orders, with properly submitted vouchers, or in accordance with salaries and salary schedules approved by the School Committee.

The Superintendent will assume responsibility for assuring that budget allocations are observed and that total expenditures do not exceed the amount allocated in the budget for all items.

The school principals shall be responsible for observing budget allocations in their respective schools. Each shall serve as custodian of the activity accounts in his/her respective school and shall be responsible for their proper handling and expenditures.

The Committee will receive monthly lists of bills (warrants) for payment from school department funds. The Committee will designate by vote a single member to be responsible for the review and approval of the warrants as correct and approved for payment. Warrants then will be forwarded to the municipal auditor for processing and subsequent payment by the municipal treasurer. A record of this action will be made available to the Committee on the agenda of the next regular meeting.

Actual invoices, statements, and vouchers will be available for inspection by the School Committee upon request.

SOURCE: MASC 2021

LEGAL REF.: M.G.L. 41:41; 41:52; 41:56

CROSS REF: DGA, Authorized Signatures

JJF, Student Activity Accounts

Revised January 2023

PAYROLL PROCEDURES

All salaries, supplements, and payments for extra duties shall be paid through the City Treasurer's office. No payments shall be made directly to any school personnel by the local school.

All personnel shall be covered by this policy.

EXPENSE REIMBURSEMENTS

The same general policy shall apply to all personnel and district officials in regard to reimbursement of expenses. This policy shall be as follows:

1. Personnel and officials who incur expenses in carrying out their authorized duties shall be reimbursed by the district upon submission of a properly filled out and approved voucher and such supporting receipts as required by the administrator responsible for business affairs.
2. Such expenses may be approved and incurred in line with budgetary allocations for the specific type of expense.
3. When official travel by personally owned vehicle has been authorized, mileage payment shall be made at the rate currently approved by the City of New Bedford.
4. Prior administrative approval by the Superintendent or his/her designee shall be required for the above.

MANAGEMENT OF SURPLUS SUPPLIES

1. GENERAL:

- A. The New Bedford School Committee recognizes the importance of safeguarding property belonging to the School Department. This extends to those items that are excess to the needs of the Department. Taxpayers are entitled to the proceeds, if any, that may be garnered from the intrinsic or residual value of surplus property.
- B. This policy pertains to item of supply only. Supplies are defined as all property, other than real property, including equipment, materials, printing and insurance and further including services incidental to the delivery, conveyance and installation of such property. Real property is defined as land and buildings, appurtenant structures and fixtures attached to the land and buildings. A line of supply is defined as a single line entry on a reporting form that indicates a quantity of property having the same description and condition code from any one reporting location.

2. GENERAL REQUIREMENTS:

- A. The disposal of surplus supplies shall be in accordance with Massachusetts General Law, Chapter 30B, section 15; Section 10-54 of the Code of New Bedford. M.G.L. 30B, § 15 applies to a line item of supply with a value of \$500.00 or more. Local procedures govern line items of supply less than \$500.00.

3. SPECIFIC REQUIREMENTS:

- A. The Superintendent of Schools or his/her designee is responsible to determine if supplies are not required for the needs or discharge of responsibilities of the School Department.
- B. When it is practicable to do so, the School Department shall use surplus supplies as its first source of supply in fulfilling its requirements. Accordingly all personnel shall make a positive effort to satisfy School Department requirements by obtaining and using surplus property (including that suitable for adaptation or substitution) before initiating procurement action. Listings of School Department surplus supplies will be screened internally on a periodic basis to satisfy any department needs.
- C. The School Committee shall approve the Superintendent's determination of surplus to the needs of the Department prior to reporting to the City's

Purchasing Agent.

- D. Surplus supplies may be disposed of by including as a trade-in in an Invitation for Bid.
- E. The Superintendent of Schools shall promulgate procedures for the management of surplus supplies in accordance with sound business practices and internal control.
- F. Donations of surplus supplies may be made to a charitable organization provided that the organization has a current IRS tax exempt status and the donation has been approved by the Mayor and majority of the City Council.

SECTION E
SUPPORT SERVICES

EA	SUPPORT SERVICES GOALS
EB	SAFETY PROGRAM
EBAB	PEST MANAGEMENT POLICY
EBB	FIRST AID
EBC	EMERGENCY PLANS
EBCAA	CRISIS RESPONSE
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EC	BUILDINGS AND GROUNDS MANAGEMENT
ECA	BUILDINGS AND GROUNDS SECURITY
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EEAE	SCHOOL BUS SAFETY PROGRAM

EEAEA	BUS DRIVER EXAMINATION AND TRAINING
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EF	FOOD SERVICES MANAGEMENT
EFC	FREE AND REDUCED-PRICE FOOD SERVICES
EFD	MEAL CHARGE POLICY
EGAF	TELEPHONE/CELL PHONE USAGE POLICY
EGAD	COPYRIGHT PROTECTION POLICY

SUPPORT SERVICES GOALS

The School Committee looks upon the support services operations of the school system as essential — yet ancillary and auxiliary — to the central function of the school system, which is education. The Committee serves as trustee of school facilities and overseer of school business operations for the purpose of providing the facilities and services that will support a good educational program.

The Committee expects operation and maintenance of the school plant, equipment, and services to set high standards of safety, to promote the health of pupils and staff, to reflect the aspirations of the community, and to support environmentally the efforts of the staff to provide good instruction.

SAFETY PROGRAM

Accidents are undesirable, unplanned occurrences that can result in tragic consequences -bodily harm, loss of school time, property damage, legal action, and even fatality. The School Committee will guard against such occurrences by taking every possible precaution to protect the safety of all students, employees, visitors and others present on school property or at school-sponsored events.

The Committee will comply with safety requirements established by governmental authorities and will insist that its staff adhere to recommended safety practices as these pertain, for example, to the school plant, special areas of instruction, student transportation, school sports and occupational safety.

The practice of safety will also be considered a facet of the instructional program of the schools. Instruction will include accident prevention as well as fire prevention; emergency procedures; traffic, bicycle, and pedestrian safety.

The Superintendent will have overall responsibility for the safety program of the school system. It will be the responsibility of the Superintendent to see that appropriate staff members are kept informed of current state and local requirements relating to fire prevention, civil defense, sanitation, public health, and occupational safety.

Efforts directed toward the prevention of accidents will succeed only to the degree that all staff members recognize that preventing accidents is a daily operational responsibility.

LEGAL REF.: M.G.L. 71:55C and Acts of 1985c 614 Sec 1
Board of Education 603 CMR 36:00

CROSS REFS.: EEAE, School Bus Safety Program
GBGB, Staff Personal Security and Safety
IHAM, Health Education
JLI, Student Safety

PEST MANAGEMENT POLICY

The New Bedford Public Schools are committed to providing a safe and properly maintained environment for all staff, students and visitors. To achieve this end, the School District will implement integrated pest management procedures for its buildings and grounds.

The integrated pest management procedures shall include implementation of appropriate prevention and control strategies, notification of certain pesticide and herbicide uses, record keeping, education and evaluation.

Integrated pest management procedures will determine when to control pests and what method of control to choose. Strategies for managing pest populations will be influenced by the pest species, location and whether and at what population level its presence poses a threat to people, property or the environment. The full range of action alternatives, including no action, will always be considered.

I. OVERVIEW AND GOALS

- A. The New Bedford Public Schools shall develop and implement an integrated pest management program.
- B. An integrated pest management program is a pest control approach that emphasizes using a balanced combination of tactics (cultural, mechanical, biological, chemical) to reduce pests to a tolerable level while using pesticides and herbicides as a last resort to minimize health, environmental and economic risks.
- C. Pesticides and herbicides will be used only as a last resort, based on a review of all other available options.
- D. The integrated pest management program shall strive to:
 - 1. Reduce any potential human health hazard.
 - 2. Reduce loss or damage to school structures or property.
 - 3. Minimize the risk of pests from spreading in the community.
 - 4. Enhance the quality of facility use for school and community.
 - 5. Minimize health, environmental and economic risks.

II. RESTRICTIONS ON USE OF PESTICIDES AND HERBICIDES

- A. When pesticides or herbicides are used, they must be classified as an EPA Category III or IV. Application of any pesticide or herbicide may be performed only by certified applicators.

- B. Application of pesticides and herbicides may only be accomplished during a school break or when the building will be clear of students for at least 48 hours.

III. NOTIFICATION OF PESTICIDE AND HERBICIDE USE

- A. When pesticides or herbicides are used outdoors, notice of their use will be provided to parent/guardians, staff and students and will also be posted in a common area.
- B. When pesticides and herbicides are used in a building, the site will provide a 48-hour pre-notification in the form of posting the product name, purpose, application date, time and method and the Material Safety Data Sheet on all entrance doors. A contact person will also be listed.
- C. In the event of an EPA registered pesticide or herbicide application in or around a building site during the school year or summer session, a notice (including the product name, purpose, contact person, and application date, time and method), will be sent home in writing with students in the affected building at least 5 days prior to application.

IV. RECORD-KEEPING

- A. The District will keep a record of pesticides and herbicides used, amounts and locations of treatments and will keep any Material Safety Data Sheets, product labels and manufacturer information on ingredients related to the application of the pesticides or herbicides.
- B. All records of pesticides and herbicides used and correspondence will be available for public review upon notice and during normal school hours.

V. STAFF RESPONSIBILITIES AND EDUCATION

- A. Designated staff (School Nutrition, Buildings and Grounds, etc.) will participate in sanitation and pest exclusion procedure appropriate to their roles. For example: keeping doors closed, repairing cracks, removing food waste within 12 hours, keeping lids on garbage receptacles and keeping vegetation properly out.
- B. Ongoing education of all appropriate District staff will be a priority to ensure a safe and clean environment.

LEGAL REF.: Chapter 85 of the Acts of 2000, "An Act to Protect Children and Families from "Harmful Pesticides."

FIRST AID

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

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

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

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

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

CROSS REF.: JLC, Student Health Services and Requirements

EMERGENCY PLANS

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

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

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

CROSS REF.: EBCD, Emergency Closings

EMERGENCY CLOSINGS

The Superintendent shall have the authority to close the schools or dismiss them early when severe weather or other emergencies threaten the safety of children and staff members. In making this decision, he/she will check with transportation and other knowledgeable authorities.

If full electrical power is not available to a school building and such is known in sufficient time prior to the opening of the school day, it shall be the policy of the School Committee to have the Superintendent cancel school for that day. If power failure results during the school day, the Superintendent will make a decision as to whether or not to release students based on the ability to notify parents, availability of transportation, and other relevant factors to insure the maximum safety of students.

Parents shall be notified early each school year of how announcements of school closings will be given. If schools are closed during the school day, every effort shall be made to assure the safety of children following the early dismissal.

FACE COVERINGS

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

A face covering that covers the nose and mouth must be worn by all individuals in school buildings, on school grounds and on school transportation, even when social distancing is observed.

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

The individual:

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

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

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

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

Exceptions to this policy under certain circumstances, such as for students with medical, behavioral or other challenges who are unable to wear masks, must be approved by the building principal in consultation with the school nurse or local Board of Health. Face shields or physical barriers may provide an alternative in some instances.

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

If students are in violation of this policy, the building principal will consult with the parent/guardians to determine whether an exception is appropriate, or the student may be removed from the school building for in-person learning until such time as they can comply with the requirement or the requirement is lifted.

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

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

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

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

REFS.: Center for Disease Control and Prevention – Considerations for Wearing Masks -
<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>
Massachusetts Department of Elementary and Secondary Education – Reopening Guidelines -
<http://www.doe.mass.edu/covid19/>
Commonwealth of Massachusetts – Mask Up MA! –
<https://www.mass.gov/news/mask-up-ma>

SOURCE: MASC – August 2020
Revised: October 2020

BUILDINGS AND GROUNDS MANAGEMENT

The care, custody, and safekeeping of all school property shall be the general responsibility of the Business Manager. He/she shall establish such procedures and employ such means from time to time as may be necessary to provide accurate information in regard to the nature, condition, location, and value of all school property; to safeguard school property against loss, damage, or undue depreciation; to recover and restore to usefulness any school property which may be lost, stolen, or damaged; and to do all things necessary to insure the proper maintenance and safekeeping of school property.

Maintenance shall be provided schools on a system-wide basis by the maintenance and security department headed by a supervisor of maintenance and security.

Within the separate schools, the Principal/Headmaster shall be responsible for the proper care and maintenance of buildings, equipment, and grounds. The supervisor of custodians shall outline and post the duties of custodial employees in consultation with the plant engineer and senior building custodian.

Help in the assignment and supervision of custodial and maintenance employees shall be provided by their respective supervisors.

BUILDINGS AND GROUNDS SECURITY

Buildings and grounds of the school district constitute one of the greatest investments of the school district. It is deemed in the best interest of the district to protect the investment adequately.

Security should mean not only maintenance of a secure (locked) building, but protection from fire hazards and faulty equipment, and safe practices in the use of electrical, plumbing, and heating equipment. The School Committee requires and encourages close cooperation with local police and fire departments and with insurance company inspectors.

A key control system shall be established which will limit access to buildings to authorized personnel and will safeguard against the potential entrance to buildings by keys in the hands of unauthorized persons.

Funds and valuable records shall be kept in a safe place and under lock and key.

Protection devices designed to be used as safeguards against illegal entry and vandalism shall be installed when appropriate to the individual situation. Employment of watchmen may be approved in situations where special risks are involved.

VANDALISM

Every citizen of the district, students, and members of the police department are urged by the School Committee to cooperate in reporting any incidents of vandalism to property belonging to the district and the name(s) of the person or persons believed to be responsible. Each employee of the district shall report to the Principal of the school every incident of vandalism know to him or her, and, if known, the names of those responsible.

The Superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism against school property, and is further authorized to delegate, as he/she sees fit, authority to sign such complaints and to press charges.

SECURITY CAMERAS IN SCHOOLS

The School Committee works to maintain a safe and secure environment for its students, staff, visitors, and facilities. Security means more than having locks and making certain that doors are locked at the proper times. Security also means minimizing fire hazards, reducing the possibility of faulty equipment, keeping records and valuables in a safe place, protection against vandalism and burglary, the prosecution of vandals, and developing crisis plans.

School facilities and their contents, constitute one of the greatest investments of the community. The School Committee believes it to be in the best interest of students and taxpayers for the district to exert every reasonable means to protect the investment adequately.

In pursuit of this objective, the School Committee authorizes the use of security cameras in school district buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism and other negative behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property. Security cameras may be used in locations as deemed appropriate by the Superintendent of Schools in consultation with school officials as well as local law enforcement and emergency response agencies. They may be used in any area, inside or outside of school buildings where there is no reasonable expectation of privacy.

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time. Students or staff identified on security cameras in violation of School Committee policies will be subject to disciplinary action.

The Superintendent shall ensure that proper procedures are in place and are followed regarding use, viewing, disclosure, retention, disposal and security of video recordings or photographs from security cameras in accordance with applicable laws and regulations. A video recording used for security purposes in school district buildings and/or on school property shall be the sole property of the school district. All video recordings will be stored in their original format and secured to avoid tampering and to ensure confidentiality in accordance with applicable laws and regulations. Access to video recordings from security cameras shall be limited to school administrators (Superintendent/designee, School Principal/designee). Law enforcement and emergency response officials shall be granted access to video recordings or the security system after giving prior notice to the School Superintendent/designee.

The Superintendent may, from time to time, issue further guidance that is consistent with current laws and this policy.

SOURCE: MASC

Adopted: August 2015

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

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

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

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

STUDENT TRANSPORTATION SERVICES

The major purpose of school transportation is to get pupils who live an unreasonable walking distance from school to school and back in an efficient, safe, and economical manner. Other purposes include the provision of transportation for academic field trips in direct support of the curriculum, transportation for support of the co curricular program (athletics, music, drama, and the like), and "late bus" transportation for those pupils who stay for school-related purposes past the normal dismissal time.

These shall be the criteria for management of school transportation:

1. Adequacy: Does the program provide both necessary and sufficient transportation to and from school and for all other school programs?
2. Safety: Does the scheduling and operating of the program take into consideration hazards, potential dangers to pupils, and all appropriate safeguards?
3. Economy: Is the program operated in the most efficient manner possible after considering the constraints imposed by the criteria of adequacy and safety?

The Business Manager, working in conjunction with the principals, shall be responsible for scheduling all bus transportation, including the determination of routes, bus stops, rules and regulations, and all other matters relative to the transportation program.

Evaluation: The school transportation program shall be monitored by the principals and the Business Manager or their designees daily and subjected to periodic evaluations by them as necessary. An overall evaluation shall be conducted by the Business Manager on or before November 1 and June 15 of each year and a summary report of same submitted to the Superintendent and the School Committee.

LEGAL REFS.: M.G.L. 40:5; 71:7A, B and C; 71:37D; 71:48A; 71:68; 71:71A;
71B:4; 71B:5; 71B:8; 74:8A; 76:1; 76:12Bi; 76:14

SCHOOL BUS SAFETY PROGRAM

The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation. Safety precautions will include the following:

1. Children will be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard.
2. Emergency evacuation drills will be conducted at least twice a year to acquaint student riders with procedures in emergency situations.
3. All vehicles used to transport children will be inspected periodically for conformance with state and federal safety requirements.
4. Instruction on school bus safety will be provided.

LEGAL REFS.: M.G.L. 90:7b as amended by Ch. 246 Acts of 1986
M.G.L. 90:1 et seq.; 713:2; 713:7L
Highway Safety Program Standard No. 17

CROSS REF.: EB, Safety Program

STUDENT CONDUCT ON SCHOOL BUSES

While the law requires the school district to furnish transportation, it does not relieve parents of children from the responsibility of supervision until such time as the child boards the bus in the morning and the child leaves the bus at the end of the school day.

In view of the fact that students traveling by school bus to and from school are under the jurisdiction of the School Committee, students shall be expected to conduct themselves in the bus in a manner consistent with established standards of classroom behavior. Therefore, the bus driver is authorized and instructed to supervise students in order to maintain discipline and insure safety in the same manner as the classroom teacher is expected to assume these functions.

The bus driver or his/her aide shall report in writing any serious behavior problems to the Principal who shall inform the child's parents immediately of the misconduct.

Children who become a serious discipline problem on the school bus may have their riding privileges suspended by the Principal. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

School buses will be used for the transportation of students participating in co-curricular or extracurricular activities. However, when buses are not available, private vehicles may be permitted to transport students to or from school activities that fall within the academic day or extend the school day provided all of the following conditions are met:

1. The activity has the approval of the Superintendent of Schools.
2. The owner of the vehicle being used in transporting students must file evidence with the Superintendent of personal liability insurance coverage on the vehicle in the amounts of \$100,000 - \$300,000 or more.
3. The parents of students to be transported in this manner will be fully informed as to this means of transportation and will sign a statement to this effect.
4. The School Committee specifically forbids any staff member to transport students for school purposes without prior authorization.

FREE AND REDUCED PRICE FOOD SERVICES

The district shall take part in the National School Lunch Program and other food program which may become available to assure that all children in the district receive proper nourishment.

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

The administration shall establish rules, regulations, and procedures which conform with state and federal (or other) requirements regarding participation in programs for free and reduced price meals and supplementary food. Such regulations shall be reported to the Committee from time to time for its approval.

LEGAL REFS.: National School Lunch Act, as amended (42 USC 1751-1760)
Child Nutrition Act of 1966, P.L. 89-642, 80 Stat. 885, as amended
M.G.L. 15:1G; 15:1L; 69:1C; 71:72

MEAL CHARGE POLICY

New Bedford Public Schools provides free breakfast and lunch for all students. In the event that the New Bedford Public Schools begins to charge for meals, the following policy will be adhered to.

The School Committee is committed to providing students with healthy, nutritious meals each day so they can focus on schoolwork, while also maintaining the financial integrity of meal programs and minimizing any impact on students with meal charges. However, unpaid meal charges place a large financial burden on the school district, as food services is a self-supporting entity within the district. The purpose of this policy is to ensure compliance with federal reporting requirements of the USDA Child Nutrition Program, as well as provide oversight and accountability for the collection of outstanding student meal balances.

The provisions of this policy pertain to regular priced school meals only. The School Committee will provide a regular meal to students who forget or lose their lunch money.

Meal Charges and Balances

Students will pay for meals at the regular rate approved by the School Committee and for their meal status (regular, reduced-price, or free) each day. Payment options will be delineated in student handbooks and provided to parents/guardians of incoming students. After the balance reaches zero and enters the negative, students will not be allowed to purchase a la carte items including but not limited to a second entrée, snack, ice cream, or an additional beverage. The student will still be allowed to take a meal, and that meal will continue to be charged to the account at the standard lunch rate based on their meal status. The parent/guardian is responsible for any meal charges incurred. If there is a financial hardship, a parent/guardian should contact food services directly to discuss payment options such as an individualized repayment plan.

Payments

Parents/Guardians are responsible for all meal payments to the food service program. Notices of low or deficit balances will be sent directly to parent/guardians via email or regular postal mail at regular intervals during the school year. At no time shall any staff member give payment notices to students unless that student is known to be an emancipated minor who is fully responsible for themselves or over the age of 18. If parents/guardians have issues with student purchases they should contact food services for assistance.

Parents/Guardians may pay for meals in advance. Further details are available on the school district webpage and in student handbooks. Funds should be maintained in

accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student, whether positive or negative, will be carried over to the next school year.

All school cafeterias possess computerized point of sale/cash register systems that maintain records of all monies deposited and spent for each student and those records are available to parents/guardians by setting up an online account (see student handbooks for more details) or by speaking with the school's food service manager. The point of sale system is designed to prevent direct identification of a student's meal status. Parents/guardians will receive automated low-balance emails or mailed notices weekly, if applicable. If notices do not result in payment, parents/guardians will receive a phone call from food services. If the phone call does not result in payment the food service manager shall turn the account over to the business office.

Refunds

Refunds for withdrawn and/or graduating students require a written request (email, postal, or in person) for a refund of any money remaining in their account to be submitted. Graduating students also have the option to transfer funds to a sibling's account or to donate to a student in need with a written request.

Delinquent Accounts/Collections

Failure of a parent or guardian to maintain reasonably current accounts may result in a referral to the Superintendent for their review. The Superintendent shall ensure that there are appropriate and effective collection procedures and internal controls within the school district's business office that meet the requirements of law.

If a student is without meal money on a consistent basis, the administration may investigate the situation more closely and take further action as needed. If financial hardship exists, parents/guardians and families are encouraged to apply for free or reduced price lunches for their child. Each school handbook shall contain detailed instructions for family assistance.

Policy Communications

This policy shall be communicated to all staff and families at the beginning of each school year and to families transferring to the district during the year.

LEGAL REFS: MGL 71:72; USDA School Meal Program Guidelines May 2017

CROSS REFS: JQ, Student Fees, Fines & Charges

SOURCE: MASC July 2018

ADOPTED: January 13, 2020

COPYRIGHT PROTECTION POLICY

The New Bedford Public Schools will insure that all copyrighted material, whether of the printed matter or programmable type, be respected as such. Further, that the New Bedford Public Schools will consciously strive to insure that no pirated material be either used or produced in our school system.

SECTION F

FACILITIES DEVELOPMENT

FA FACILITIES DEVELOPMENT GOALS

FA-E FACILITIES DEVELOPMENT GOALS

FB FACILITIES PLANNING

FCB RETIREMENT OF FACILITIES

**FF POLICY FOR NAMING OF NEW BEDFORD SCHOOL DEPARTMENT
FACILITIES**

FACILITIES DEVELOPMENT GOALS

The School Committee believes that any educational program is influenced greatly by the environment in which its functions. The development of a quality educational program and school facilities that help to implement the program must go hand in hand.

Therefore, it is the Committee's goal to provide the facilities needed for the number of students in the school system, and to provide the kind of facilities that will best support and accommodate the educational program.

In planning facilities, the Committee recognizes that capital outlay funds are limited, and that priorities must be established to make the best use of the school building dollar. The Committee's first objective will be to develop a plan that eliminates overcrowding. Whenever possible, the cultural as well as educational needs of the community will be considered in planning facility expansions.

Architects retained by the Committee are expected to plan for simplicity of design; sound economics, including low long-range maintenance costs and efficiency in energy needs; low insurance rates; high educational use; and flexibility.

LEGAL REF.: 963 CMR 2.0

FACILITIES DEVELOPMENT GOALS

FACILITIES:

- (1) Every new school which is to be constructed and every addition to an existing school or program for modernization of an existing school shall be designed or planned so as to ensure that the educational opportunities to be offered within that school following its construction, expansion or reconstruction will be available equally to all students thereof without regard to the race, color, sex, religion, sexual orientation, gender identity, disability or national origin of any such student.
- (2) The goal of each school shall be to provide males and females with equal facilities and conveniences within a school which are separated for reasons of privacy, e.g. showers, locker rooms, changing rooms, toilets and lavatories. Any school to be constructed shall make such provision and any plan for the expansion or modernization of an existing school shall include whatever provision is necessary in order to achieve compliance with regulations.
- (3) When choosing a site for a new school facility, preferential considerations must be given to locations that maximize the number of students who can walk or bicycle to school.

Amended: August 14, 2017
LEGAL REF.: 963 CMR 2.0

FACILITIES PLANNING

As the School Committee seeks to overcome deficiencies in its physical plant, it shall strive to provide new facilities that will provide the highest type of educational environment for all students.

Additionally, the Committee is vitally concerned with the fact that schools have been slow in responding to the rapid changes in many segments of our society. The Committee expresses an urgent desire for relevance in education that assures each child self-realization based on identified needs of the self and of the community, present and future. The Committee's commitment is to provide school facilities accommodating a quality education that will permit each child to grow and develop according to his or her own abilities and unique life style.

Thus new buildings and renovations to existing buildings shall be in accordance with new organizational patterns planned by the Committee and the new instructional programs anticipated.

Decisions pertaining to the construction of educational facilities will be made only after the viewpoints of teachers, students, parents, and other citizens have been considered. Any such decisions which involve major construction or a change of use of any school property or facility shall first require an opportunity for public input. The Superintendent or his/her designee shall provide 30 days prior notice of the date, place and time for a public input session, and shall report back to the School Committee at its next regularly scheduled meeting. Such report shall be required before any vote is taken by the School Committee involving major construction or a change of use of any school property or facility, provided, however, the School Committee may waive the requirement of a prior public input session and report if the Committee determines that an emergency situation exists which requires such waiver.

Architects employed by the Committee are expected to plan for simplicity of design, sound economics, including how long-range maintenance costs, high educational utility, and flexibility.

RETIREMENT OF FACILITIES

When a school building becomes inadequate by virtue of age, condition, size of site, lack of need, or other overriding limitations, and cannot reasonably and economically be brought up to the current educational standards, the building should be considered for a comprehensive closing study. The Superintendent will recommend to the School Committee, which facilities appear to justify further analysis.

The School Committee may seek both professional advice and the advice of the community in making its recommendations as to the retirement of any school facility. This will permit the public, which originally acquired the property, to benefit from its recycling or retirement.

A closing study will include direct involvement by those neighborhoods considered in the study and will be concerned with all or some of the following factors:

1. Age and current physical condition of the facilities, its operating systems, and program facilities
2. Adequacy of site, location, access, surrounding development, traffic patterns, and other environmental conditions
3. Reassignment of children, including alternative plans according to Committee policy
4. Transportation factors, including numbers of children bussed, time, distance, and safety
5. Alternative uses of the building
6. Cost/Savings
 - a. Personnel
 - b. Plant Operation
 - c. Transportation
 - d. Capital Investment
 - e. Alternative Use
7. Continuity of instructional and community programs

**POLICY FOR NAMING OF
NEW BEDFORD SCHOOL DEPARTMENT FACILITIES**

Following are the guidelines for the naming of the New Bedford School Department facilities:

1. This policy covers the naming of any and all buildings, school grounds, athletic fields or portions thereof which are no smaller than a room or a clearly distinguishable section of an outdoor facility.
2. The person, persons or entity to be honored by the proposed naming must have some positive connection or relationship to the facility proposed to be named or be nationally or internationally recognized for positive contributions to society in general.
3. Nominations or suggestions for any naming may come from the school department administration, individual school administrators, school councils or members of the general public.
4. Facilities shall not be renamed unless the person, persons or entity after which they are presently named have been dishonored.
5. If the person, persons or entity proposed to have a facility name for them are alive, his/her or their consent shall be first obtained; if the person, persons or entity proposed to have a facility named for them have died, their families or survivors shall be consulted.
6. No proposal asking for School Committee permission to name a facility shall be acted upon at the first Committee meeting at which it is presented.
7. The naming of any facility shall require an affirmative vote of five (5) members of the School Committee.
8. Before a building or part of a building is to be named for an employee, said employee must be retired from the school system or out of the school system.

**SECTION G
PERSONNEL**

GBA	EQUAL OPPORTUNITY EMPLOYMENT
GBD	SCHOOL COMMITTEE-STAFF COMMUNICATIONS
GBE	STAFF HEALTH AND SAFETY
GBEA	STAFF ETHICS/CONFLICT OF INTEREST
GBEB	EMPLOYEE CONDUCT
GBEBC	GIFTS TO AND SOLICITATIONS BY STAFF
GBEBD	ONLINE FUNDRAISING AND SOLICITATIONS- CROWDFUNDING
GBEC	DRUG FREE WORKPLACE POLICY
GBED	TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS
GBG	STAFF PARTICIPATION IN POLITICAL ACTIVITIES
GBH	STAFF-STUDENT RELATIONS
GBJ	PERSONNEL RECORDS
GBK	STAFF COMPLAINTS AND GRIEVANCES
GCBA	PROFESSIONAL STAFF SALARY SCHEDULES
GCCC	FAMILY AND MEDICAL LEAVE
GCCD	DOMESTIC VIOLENCE LEAVE POLICY
GCRD	TUTORING FOR PAY

EQUAL EMPLOYMENT OPPORTUNITY

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

CROSS REF.: AC, Nondiscrimination

LEGAL REF.: M.G.L. 151B:4;

BESE Regulations 603 CMR 26:00

Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

Revised: June 11, 2018

Revised January 2023

Source: MASC

SCHOOL COMMITTEE-STAFF COMMUNICATIONS

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

Staff Communications to the School Committee

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

School Committee Communications to Staff

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

Visits to Schools

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

STAFF HEALTH AND SAFETY

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

Pre-employment physical examinations may be required for bus drivers and food handlers as law or state regulations require.

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

LEGAL REFS.: 71:54, 71:55B; 71:55C

STAFF ETHICS / CONFLICT OF INTEREST

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

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

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

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

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School Committee and the City Clerk at least two weeks prior to executing the hiring in accordance with the law.

LEGAL REFS.: M.G.L. 71:52; 268A:1 et seq.

EMPLOYEE CONDUCT

All employees of the New Bedford Public Schools have a responsibility to familiarize themselves with and abide by the laws and regulations of the Commonwealth of Massachusetts and federal government as these affect their work, the policies of the New Bedford School Committee ("Committee"), and the regulations designed to implement them.

In the area of personal conduct, the Committee expects that teachers and other employees will conduct themselves in a manner that not only reflects credit to the school system but also sets forth a model worthy of emulation by students. All employees are expected to treat others with respect and civility at all times and are expected to carry out their responsibilities with conscientious concern.

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

1. Professional conduct at all times and treating students, other employees and community members in our school buildings, events, grounds and buses with respect and civility and refrain from any inappropriate workplace conduct. Inappropriate workplace conduct can take multiple forms, including but not limited to the use of profanity, slurs, epithets, inappropriate gestures or making offensive or demeaning jokes.
2. Support and enforcement of policies of the Committee and their implementing regulations and school rules in regard to students, other employees and the community. This includes compliance with Committee policies AC, ACA, ACAB, ACE and JICFB.
3. Concern for and attention to their own and the school system's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.
4. Faithfulness and promptness in attendance at work. Employees must follow all District procedures when unable to report to their assignment.
5. Diligence in submitting required reports promptly at the times specified.
6. Care and protection of school property.

Please note that while this policy sets forth the District's goals of promoting a positive and professional work environment, the policy is not designed or intended to limit the District's authority to discipline or take remedial action for workplace conduct which is deemed unacceptable.

Because the Committee takes allegations of violations of this policy and retaliation seriously, it will respond promptly to complaints and where it is determined that such inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

HOW TO FILE A COMPLAINT:

The District takes allegation of a violation of District policy seriously and will take appropriate action. If an employee believes that another employee is in violation of this policy and/or the employee believes that the employee has been subjected to inappropriate workplace conduct the employee may immediately report it to a building administrator and/or Principal. If the employee in violation of the policy is a building administrator and/or Principal, a report may be made directly to the Office of Human Capital Services.

LEGAL REFS.: M.G.L. 71:37H; 264:11

AMENDED: January 13, 2020

GIFTS TO AND SOLICITATIONS BY STAFF

Gifts

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

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

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

Class Gifts

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

Gifts for School Use

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

Solicitations

In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support.

However, the solicitation of funds from staff members through the use of school personnel and school time is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members. Staff members of course remain free to support charitable causes of their own selection.

Legal Ref: M.G.L. 268A:3; 268A:23; 930 CMR 5.00

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

ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING

School District employees shall comply with all of the following provisions relating to online solicitations and the use of crowdfunding services for school-related purposes as well as all applicable laws, regulations and district policies. No online fundraising may occur except as provided below.

The Superintendent shall have final authority to approve any online fundraising activities by school district employees and shall determine and communicate to Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy (KCD). The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation.

Any solicitation shall be for educational purposes only (field trips, supplies, supplemental materials, books, etc.). The solicitation of personal items (coats, nutritional snacks, etc.) shall only be to benefit students directly. To the extent an employee solicits any technology or software, the employee shall secure the prior written approval of the Director of Technology or designee prior to any such solicitation. Any employee seeking to display or post a photograph of a student in conjunction with a fundraising solicitation must first secure the written consent of the student's parent or guardian.

Employees shall not use a crowdfunding source, or set up their appeal in such a way, that they are asking for donations directly from people over whom the employee making the request has authority, or with whom the public employee is having official dealings (such as parents of student's in a teacher's classroom - the solicitation can say "Classroom X needs tissues and crayons," but it shouldn't be directed to parents who have shared email addresses with the teacher for purposes of communicating about their student).

Employees using crowdfunding services shall periodically disclose in writing to the Superintendent the names of all individuals whom the employee has directly solicited in any manner including but not limited to oral, written, or electronic solicitation. The Superintendent shall maintain these disclosures as public records available for public review.

Employees may only use crowdfunding services that send the items or proceeds solicited by the employee directly to the employee's school or to the school district. Employees must verify under the crowdfunding service's terms and conditions that they meet all requirements for such solicitation. Items or proceeds directly sent to

employees are considered gifts to the employee and may result in violation of state ethics laws.

If an employee's proposal is approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

If a solicitation is not fully funded within the time period required by the crowdfunding service, or the solicitation cannot be concluded for any reason, every attempt will be made to return donations to the donors. Donations unable to be returned shall only be used as account credits for future solicitations.

Unless otherwise approved by the Superintendent in writing, all goods and/or proceeds solicited and received through any online solicitation shall become the property of the School Committee, and not of the individual employee who solicited the item(s) or funds. The employee is prohibited from taking any such item(s) or funds to another school or location, without the Superintendent's written approval.

LEGAL REFS: MGL 44:53A; 71:37A; 268A:3; 268A:23; Ethics Commission Advisory Opinion EC-COI-12-1;

CROSS REFS: GBEA, Staff Ethics/Conflict of Interest;

GBEBC, Gifts To and Solicitations by Staff;

KCD, Public Gifts to Schools

SOURCE: MASC February 2018

NOTE: Crowdfunding services are defined as any online service used for the solicitation of goods, services, or money from a large number of people via the internet or other electronic network. Examples include GoFundme, Kickstarter, Indiegogo, YouCaring, and DonorsChoose.

Adopted: 7/16/2018

DRUG-FREE WORKPLACE POLICY

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

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

LEGAL REFS.: The Drug-Free Workplace Act of 1988
CROSS REFS.: JICH, Drug and Alcohol Use by Students

TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED

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

Staff members who violate this policy will be subject to disciplinary action up to and including termination.

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

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

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

In connection with his campaigning, no employee shall use school system facilities, equipment, or supplies; nor shall the employee discuss his campaign with school personnel during the working day; nor shall he use any time during the working day for campaigning purposes.

LEGAL REF.: 71:44

STAFF-STUDENT RELATIONS

Staff members shall be expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of staff shall be seen, not as dictators or controllers, but as resource persons, aides, and guides in the learning processes. Staff members shall provide for self-determination by each student in regard to his or her learning program, consistent with district and local goals and with optimum opportunities for all students. Students shall be treated with courtesy and consideration. Neither insults nor sarcasm shall be used as a way of forcing compliance with a staff member's requirements or expectations.

Each student is urged to regard staff members as people with specific knowledge and capabilities which can be well utilized to advance the student's own knowledge and development.

Students shall be expected to regard staff members as individuals, employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall be required to respect the rights of staff members (and other students, as well) and interference with those rights shall not be condoned. No student shall have the right to interfere with the efforts of instructional staff to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students.

Adopted 7/12/76

PERSONNEL RECORDS

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

1. A personnel folder for each present and former employee will be accurately maintained in the central administrative office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, payroll deductions, evaluations, and any other pertinent information.
2. The 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.
3. Personnel records are considered confidential under the law and will not be open to public inspection. Access to personnel files will be limited to persons authorized by the Superintendent to use the files for the reasons cited above.
4. Each employee will have the right, upon written request, to review the contents of his own personnel file, in accordance with MGL 149:52C.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include his written response in the file.
6. Lists of school system employees' names and home addresses will be released only to governmental agencies as required for official reports or by the laws.

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

CONTRACT REF.: All Agreements

CROSS REF.: KDB, Public's Right to Know

STAFF COMPLAINTS AND GRIEVANCES

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

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

Channels established will provide for the following:

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

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

LEGAL REFS.: M.G.L. 150E:5 and 8
CONTRACT REFS.: All Contract Agreements

PROFESSIONAL STAFF SALARY SCHEDULES

Teachers

The School Committee will adopt a salary schedule for regular teaching personnel as part of the contract negotiated with the teachers' bargaining unit. The schedule will be designed to recognize and reward training and experience and encourage additional study for professional advancement.

Principals and Administrators

The School Committee, with the advice of the Superintendent, will establish levels of compensation for each position based on the circumstances, dynamics, and requirements of each position. Consideration may be given to individuals for exceptional performance as a basis for establishing increases for Principals. The Superintendent may, upon the request of the Committee, survey other school systems to determine salaries being paid for comparable positions in each system. The survey will include the effective date of the specified salary.

LEGAL REFS.: M.G.L. 71:40; 71:43

CONTRACT REF.: Teachers' Agreement

FAMILY AND MEDICAL LEAVE

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

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

DOMESTIC VIOLENCE LEAVE POLICY

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

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

An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement.

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

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

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

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

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

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

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

LEGAL REF:: M.G.L. 149:52E; Section 10 Chapter 260 of the Acts of 2014

TUTORING FOR PAY

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

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

A teacher may not tutor students who are currently in his/her class. Even if the teacher does not recommend that the current student receive private tutoring, the teacher should not tutor current students.

Teachers and other public employees may not approach a student, or the student's parents, seeking private tutoring work. A teacher may provide tutoring when the relationship is initiated by the parents or a student, but, if the student is, or in the future may be, under the teacher's authority, the teacher will need to provide a written disclosure.

A teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. Schools cannot send home brochures for a particular tutoring service with the children.

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

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

LEGAL REF: M. G. L. 268A Mass. Ethics Commission FAQs for Public School Teachers

SECTION H
NEGOTIATIONS

HA	NEGOTIATIONS GOALS
HB	NEGOTIATIONS LEGAL STATUS
HF	SCHOOL COMMITTEE
HF	NEGOTIATING AGENTS

NEGOTIATIONS GOALS

The School Committee recognizes that education is a public trust; it therefore is dedicated to providing the best possible educational opportunities for the young people of this community. In negotiations, this objective may be best attained if there is a climate of mutual trust and understanding between the negotiating parties.

The School Committee believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the School Committee and representatives of the staff to discuss matters of common concern.

It is further recognized that nothing in negotiations will compromise the School Committee's legal responsibilities nor will any employee's statutory rights and privileges be impaired.

NEGOTIATIONS LEGAL STATUS

The School Committee shall negotiate salaries and other conditions of employment with its employees under requirements of and subject to limitations set forth in Chapter 150E, which was added to the General Laws by the Acts of 1973.

The legal status of negotiations is defined in part by Section 2 of that chapter, which reads as follows:

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

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the School Committee and employee organizations to bargain in good faith as they conduct negotiations. However, such obligation does not compel either party to agree to a proposal or make a concession.

The law specifically bars from membership in collective bargaining units any managerial employee who (a) participates to a substantial degree in formulating or determining policy, or (b) assists to a substantial degree in the preparation for or the conduct of collective bargaining on behalf of a public employer, or (c) has a substantial responsibility involving the exercise of independent judgment of an appellate responsibility not initially in effect in the administration of a collective bargaining agreement or in personnel administration.

The School Committee shall retain sole and complete authority to supervise and control the New Bedford Public School System and all personnel employed by the system subject to the agreements that have been established with collective bargaining units.

Statutory

LEGAL REFS.: M.G.L. 150E:1 through 150E:15

SCHOOL COMMITTEE NEGOTIATING AGENTS

The School Committee is responsible for negotiations with recognized employee bargaining units. However, because of the expertise and time required for negotiations, the Committee may hire a negotiator to bargain in good faith with recognized bargaining units to help ensure that mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed.

The School Committee will appoint the negotiator and the fee or salary for his services will be established in accordance with the law at the time of appointment.

The duties of the negotiator will be as follows:

1. To negotiate in good faith with recognized bargaining units to arrive at a mutually satisfactory agreement on wages, hours, and working conditions of employees represented by the units.
 - a. The negotiator may recommend members of the administration to serve on the negotiation team. They will not be members of any unit that negotiates with the Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Committee.
 - b. He/she will direct accumulation of necessary data needed for negotiations, such as comparative information.
 - c. He/she will follow guidelines set forth by the Committee as to acceptable agreements and will report on the progress of negotiations.
 - d. He/she will make recommendations to the Committee as to acceptable agreements.
2. The negotiator will interpret the signed negotiated contracts to administrators and may be called upon to offer advice on various aspects of contract administration during the terms of the contracts with employee organizations.

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

**SECTION I
INSTRUCTION**

IB	ACADEMIC FREEDOM
IC/ICA	SCHOOL YEAR/SCHOOL CALENDAR
ID	SCHOOL DAY
IE	ORGANIZATION OF INSTRUCTION
IGA	CURRICULUM DEVELOPMENT
IGB	SUPPORT SERVICES PROGRAMS
IGD	CURRICULUM ADOPTION
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IHAM-R	HEALTH EDUCATION
IHAMA	PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION
IHAMB	TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO
IHB	SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS
IHBA	PROGRAMS FOR STUDENTS WITH DISABILITIES
IHBAA	OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS
IHBD	COMPENSATORY EDUCATION
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IHBG	HOME SCHOOLING
IHBGA	HOME EDUCATED STUDENTS/ATHLETIC ELIGIBILITY
IHBH	ALTERNATIVE SCHOOL PROGRAMS
IHBHE	REMOTE LEARNING
IHCA	SUMMER SCHOOLS
IHCDB	8th GRADE DUAL ENROLLMENT PROGRAM
IJ	INSTRUCTIONAL MATERIALS
IJ-R	RECONSIDERATION OF INSTRUCTIONAL RESOURCES
IJL	LIBRARY MATERIALS SELECTION AND ADOPTION
IJLA	LIBRARY RESOURCES
IJND	ACCESS TO DIGITAL RESOURCES
IJNDB	EMPOWERED DIGITAL USE POLICY
IJNDC	INTERNET PUBLICATION
IJNDD	POLICY ON SOCIAL NETWORKING WEB SITES
IJOA	FIELD TRIPS AND STUDENT OVERNIGHT TRAVEL
IJOB	COMMUNITY RESOURCE PERSONS/SPEAKERS
IJOC	SCHOOL VOLUNTEERS
IK	STUDENT PROGRESS REPORT TO PARENTS/GUARDIANS
IKE	PROMOTION AND RETENTION OF STUDENTS
IKFB	GRADUATION EXERCISES
IL	EVALUATION OF INSTRUCTIONAL PROGRAMS

ILD	STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH
IMA	TEACHING ACTIVITIES/PRESENTATIONS
IMB	TEACHING ABOUT CONTROVERSIAL ISSUES/ CONTROVERSIAL SPEAKERS
IMD	SCHOOL CEREMONIES AND OBSERVANCES
IMDA	PLEDGE OF ALLEGIANCE
IMG	ANIMALS IN SCHOOL

ACADEMIC FREEDOM

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

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

LEGAL REF.: Constitution of the Commonwealth of Massachusetts

SCHOOL YEAR/SCHOOL CALENDAR

The school calendar for the ensuing year will be prepared by the Superintendent and submitted to the School Committee for approval annually. The number of days or instructional hours scheduled for the school year will be determined in accordance with the following standards set by the Massachusetts Board of Elementary and Secondary Education:

1. The School Committee shall schedule a school year which includes at least 185 days for each school in the District.
2. Elementary school will operate for a minimum of 180 days. Schools shall ensure that every elementary school student is scheduled to receive a minimum of 900 hours per school year of structured learning time, as defined in regulations. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.
3. Secondary schools will operate for a minimum of 180 days. Schools shall ensure that every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time, as defined in 603 regulations. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

For the information of staff, students, and parents, the calendar will set forth the days schools will be in session; holidays and vacation periods; in service days; and parent conferences.

LEGAL REFS.: M.G.L. 4:7; 69:1G; 71:1; 71:4; 71:4A; 71:73; 136:12
Board of Education Regulations for School Year and School Day, effective 9/1/75
Board of Education, Student Learning Time Regulations
603 CMR 27.00, Adopted 12/20/94

SOURCE: MASC April 2019

SCHOOL DAY

The length of the school day is established in the collective bargaining agreements with the various school unions. The specific opening and closing times of the schools will be recommended by the Superintendent and set by the Committee.

The Superintendent is authorized to make minor changes in opening and closing times to simplify transportation scheduling; however, major changes in schedules will be subject to Committee approval.

Parents and guardians will be informed of the opening and closing times set by the Committee. To help insure the safety of all children, parents will also be notified that students will not be admitted into the school building until 5 minutes prior to the start of the official day unless circumstances require earlier admittance.

SOURCE: MASC April 2019

LEGAL REFS.: M.G.L. 15:1G; 69:1G; 71:59 – 603 CMR 27.00

Revised July 2020

ORGANIZATION OF INSTRUCTION

The District offers a diversified educational program compatible with the needs of the community and state standards.

The organizational plan is designed to facilitate the philosophy of educating every student, each to his/her fullest potential.

The structure will consist of multiple levels (for example, Primary/Elementary, Middle and Secondary levels).

The Primary/Elementary level includes schools with kindergarten through grade five. The Middle level consists of schools for grades six, seven and eight. The Secondary level consists of schools with grades nine, ten, eleven, and twelve. *

Special education services are integrated across each grade level in all schools.

The organization is designed to meet the standards established by the Department of Elementary and Secondary Education's Curriculum Frameworks by Time and Learning regulations, and in order to serve the needs of all students.

CROSS REFS.: IC/ICA School Year/School Calendar

LEGAL REFS.: 603 CMR 27.00

SOURCE: MASC April 2019

Revised: July 2020

CURRICULUM DEVELOPMENT

Constant adaptation and development of the curriculum is necessary if the District is to meet the needs of the students in its schools. To be successful, curriculum development must be a collaborative enterprise involving staff and administrators utilizing their professional expertise.

The Committee expects its faculty and administration to regularly evaluate the education program and to recommend modifications of practice and changes in curriculum content as well as the addition or deletion of courses to the instructional program.

LEGAL REF.: M.G.L. 69:1E
 603 CMR 26:05

SUPPORT SERVICES PROGRAMS

The Student Services staff will work in cooperation with building staff and the administration of the District to coordinate and supervise the implementation of the curriculum, the instructional program, and support services to meet the needs of all students.

The Executive Directors for Special Education and Student Services shall be responsible for all services for students who are not eligible for special education assistance, such as psychological services, speech correction, homebound and hospital teaching and such other programs as may be assigned.

SOURCE: MASC April 2019
CROSS REF.: ACE, Nondiscrimination on the Basis of Disability
Revised: July 2020

CURRICULUM ADOPTION

The School Committee will rely on its professional staff to design and implement instructional programs and courses of study that will forward the educational goals of the school system.

The Superintendent will have authority to approve new programs and courses of study after they have been thoroughly studied and found to support educational goals. The Committee itself will consider, and officially adopt, new programs and courses when they constitute an extensive alteration in instructional content or approach.

The Committee wishes to be informed of all new courses and substantive revisions in curriculum. It will receive reports on changes under consideration. Its acceptance of these reports, including a listing of the high school program of studies, will constitute its adoption of the curriculum for official purposes.

LEGAL REF.: M.G.L. 15:1G; 71:1; 69:1E

PHYSICAL EDUCATION

The School Committee will attempt to provide every student with an opportunity for wholesome and enriched educational experiences. It is the Committee's belief that the following basic aims and objectives of the physical education program will contribute to this goal:

1. To aid the development of the entire student so that a well trained mind may function properly in a healthy body.
2. To encourage student participation in vigorous physical activity while in school, and to teach the skills of those activities so that they will have a carry-over value for later activities in every day life.
3. To increase appreciation of physical fitness and its importance in regard to good health.
4. To impress upon students the importance of integrating one's mind, body and attitude in preparing to face the obligations of a complex society.

LEGAL REFS.: M.G.L. 71:1; 71:3
Board of Education Regulations Pertaining to Physical Education, adopted 4/25/78,
effective 9/1/78
603 CMR 26:05

OCCUPATIONAL EDUCATION

The School Committee recognizes that students in kindergarten through grade 12 should:

1. Be afforded the opportunity to be informed about the world of work.
2. Be aware of the many vocations available to them.
3. Develop a respect for the dignity of work.
4. Be allowed the opportunity to develop an understanding regarding the technical, consumer, occupational, recreational and cultural aspects of industry and technology; they should also be afforded the opportunity to develop skills related to such aspects through creative problem solving experiences.

LEGAL REFS.: M.G.L. 71:37K; 71:38A through 71:38F; 74:1 et seq.
Board of Education Chapter 74 Regulations, adopted 6/28/77, effective 9/1/77

HEALTH EDUCATION

The School Committee believes that the greatest opportunity for effective health education lies within the public schools because of their potential to reach children at the age when positive, lifelong health habits are best engendered and because the schools are equipped to provide qualified personnel to conduct health education programs.

The School Committee is committed to a sound, comprehensive health education program as an integral part of each student's general education. **Health education will be taught as a separate academic discipline in grades K through 5 and as a separate class in grade 6 and 7.**

The health education program will emphasize a contemporary approach to the presentation of health information, skills, and the knowledge necessary for students to understand and appreciate the functioning and proper care of the human body. Students also will be presented with information regarding complex social, physical and mental health problems, which they might encounter in society. In an effort to help students make intelligent choices on alternative behavior of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger school-community environment.

In order to promote a relevant, dynamic approach to the instruction of health education, the School Committee will continue to stress the need for curricular, personnel, and financial commitments that are necessary to assure the high quality of the system's health education program.

LEGAL REF.: M.G.L. 71:1
SOURCE: MASC April 2019
Revised: July 2020

**HEALTH EDUCATION
(Exemption Procedure)**

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

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

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

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

LEGAL REF.: M.G.L. 71:1

PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

New Bedford School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the courses and curriculum we offer that primarily involve human sexual or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If planned curricula change during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy, and will inform parents/guardians that they may:

1. Exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexual issues, without penalty to the student, by sending a letter to the school Principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.
2. Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable. Parents/guardians may arrange with the Principal to review the materials at the school and may also review them at other locations that may be determined by the Superintendent of Schools.

A parent/guardian who is dissatisfied with a decision of the Principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Superintendent for review of the issue. The Superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request. A parent/guardian who is dissatisfied with the Superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision, preferably within four weeks of the request. A parent/guardian who is still dissatisfied after this process may send a written request to the Commissioner of Education for review of the issue in the dispute.

The Superintendent of Schools will distribute a copy of this policy to each Principal by September 1 of each year.

REF.: Dept. of Elementary and Secondary Education

TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS

In accordance with state and federal law, the District shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12.

The alcohol, tobacco, and drug prevention program shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs.

The objectives of this program, as stated below, are rooted in the Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision-making:

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the School Committee.

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

SOURCE: MASC March 2016
LEGAL REFS.: M.G.L. 71:1 ;71:96
CROSS REFS: GBEC, Drug Free Workplace Policy
JICH, Drug and Alcohol Use by Students
Adopted: September, 2016

SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS (PROGRAMS FOR CHILDREN WITH SPECIAL NEEDS)

The goals of this school system's special education program are to allow each child to grow and achieve at their own level, to gain independence and self-reliance, and to return to the mainstream of school society as soon as possible.

The requirements of laws and regulations will be followed in the identification of children with special needs, in referrals for their evaluation, in prescribing for them suitable programs and in assessing their educational progress. In keeping with state requirements, all children with special needs between the ages of three through 21 who have not attained a high school diploma or its equivalent will be eligible for special education.

The School Committee believes that most children with special needs can be educated in the regular school program if they are given special instruction, accommodations and the support they need. These children should also be given the opportunity to participate in the school system's non-academic and extracurricular activities.

The Committee recognizes that the needs of certain children are so great that special programs, special classes or special schools may be necessary. When appropriate programs, services, or facilities are not available within the public schools, the Committee will provide these children with access to schools where such instruction and accommodations are available.

It is the desire of the Committee that the schools work closely with parents/guardians in designing and providing programs and services to children with special needs. Parents/guardians will be informed, and conferred with, whenever a child is referred for evaluation. In event of any disagreement concerning diagnosis, program plan, special placement, or evaluation, the parents/guardians will be accorded the right of due process.

The Committee will secure properly trained personnel to work with the children with special needs. Since the financial commitment necessary to meet the needs of all of these children is extensive, the Committee will make every effort to obtain financial assistance.

LEGAL REFS.: The Individuals with Disabilities Ed. Act (PL 108-446, adopted 12/03/04)
Rehabilitation Act of 1973
M.G.L. 71B:1 et seq. 603 CMR 28:00 inclusive

SOURCE: MASC April 2019

PROGRAMS FOR STUDENTS WITH DISABILITIES

In keeping with the intention of the state of Massachusetts to offer educational opportunities to all students that will enable them to lead fulfilling and productive lives, the District shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal statutes.

LEGAL REF.: Rehabilitation Act of 1973, Section 504

OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS

1. Parents' request to observe their child(ren), current program, or a potential placement must be made at least five days in advance with the Special Education Director or designee and/or Principal.
2. The Special Education Director or designee shall contact the parent(s) for initial scheduling conversation within five (5) days of receipt of the parents' request.
3. When a parent requests an observation of a special needs student or program, the Special Education Director or designee will seek approval from the Director of Special Education and the building principal before it is processed. Such approval may only be withheld for those reasons outlined within law and DESE regulation.
4. The Special Education Director or designee and/or Principal will work with the classroom teacher and the observer to set up the specifics of the observation (including, but not limited to, scheduling and placement of the observer in the classroom).
5. The number, frequency, and duration of observation periods will be determined on an individual student basis in accordance with law and regulation. The start and end time of observation periods and a schedule of observation periods will be stated in advance. In order to minimize classroom or student disruption, the length of individual observation periods may be limited.
6. If the observer is not the parent, the parent must sign a release for the individual to observe.
7. The number of observers at any one time may be limited.
8. The observer will be informed that he/she is not to interfere with the educational environment of the classroom. If his/her presence presents a problem, he/she will be asked to leave. This notice is particularly important, since the presence of parents can influence both the performance of their child(ren) and those of others.
9. The observer will be asked to submit his/her report of the observation in advance of any follow-up TEAM meeting.
10. The observer will be informed that he/she is there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. He/she is not there to evaluate a teacher's ability to perform his or her contractual job duties.

11. The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff must be mindful of removing materials which may be part of students' records from plain view. In the event that removal is not possible the observer may be asked to sign a non-disclosure agreement.

12. A school administrator, or designee, also will observe at the same time and take notes as to what is observed, paying particular attention to note anything that is non-typical concerning the period. This observation summary will be placed in the student's file and provided to the parent(s) prior to any follow-up TEAM meeting. .

LEGAL REF.: MGL 71B:3

Massachusetts Department of Elementary and Secondary Education
Technical Assistance Advisory SPED 2009-2 dated January 8, 2009

CROSS REF.: KI, Visitors to Schools

NOTE: The following quotes from the DESE Advisory are important points of understanding to the implementation of this policy.

"School districts and parents have reported that, typically, observations are between one and four hours. While useful as a general rule, the Department recommends that district policies and practices specify that the duration and extent of observations will be determined on an individual basis. Districts should avoid rigid adherence to defined time limits regardless of the student's needs and settings to be observed. The complexities of the child's needs, as well as the program or programs to be observed, should determine what the observation will entail and what amount of time is needed to complete it. Discussion between school staff and the parent or designee is a good starting point for resolving the issue."

"The observation law states that districts may not condition or restrict program observations except when necessary to protect: the safety of children in the program during the observation; the integrity of the program during the observation; and children in the program from disclosure by an observer of confidential or personally identifiable information he or she may obtain while observing the program."

**COMPENSATORY EDUCATION
(Title 1)**

Title 1 funds shall be used to provide educational services that are in addition to the regular services provided for District students. By adoption of this policy, the School Committee ensures equivalence in the provision of curriculum materials and supplies.

LEGAL REF.: Title 1, Elementary and Secondary Education Act, as amended

ENGLISH LEARNERS

The District shall provide suitable research-based language instructional programs for all identified English Learners (EL) in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Dept. of Elementary and Secondary Education (DESE) regulations and guidance.

The District shall identify students whose dominant language may not be English through:

- Home language surveys that identify a primary home language is other than English
- Observations
- Intake assessments
- Recommendations of parents/guardians, teachers and other persons

Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to DESE each year those students whose dominant language is not English, including specification of the number of non-English language identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by DESE to comply with federal law.

SOURCE: MASC April 2019

LEGAL REFS.: Elementary and Secondary Education Act, as amended
42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)
603 CMR 14.00

Adopted/Reviewed/Updated: 10/24/2016

Updated: August 2020

HOMEBOUND INSTRUCTION

The schools may furnish homebound instruction to those students who are unable to attend classes for at least two consecutive weeks due to a physical injury, medical situation, or a severe emotional problem. The instruction is designed to provide maintenance in the basic academic courses so that when a student returns to school he/she will not be at a disadvantage because of the illness or the hospitalization.

To qualify for the program the student needs a written statement from a medical doctor requesting the homebound instruction, stating the reasons why, and estimating the time the student will be out of school. This statement needs to be sent to the Executive Director of Special Education and Student Services.

Homebound instruction is offered in basic elementary subjects and in secondary subjects which do not require laboratories and special equipment, subject in all cases to the availability of qualified teachers. Certified teachers shall be assigned to homebound instruction by the Superintendent or designee.

HOME SCHOOLING

The Massachusetts General Law requires the School Committee to determine that a Home Schooling program meet with the minimum standards established for public schools in the Commonwealth prior to approving such a program.

When a parent or guardian of a student below the age of 16 wants to establish a home-based educational program for his/her child, the following procedures shall be followed in accordance with the law:

Prior to removing the child from public school:

The parent/guardian must submit written notification of establishment of the home-based program to the appropriate administrator 14 days before the program is established, and resubmit notification on an annual basis as long as the child or children are being educated in a home-based environment.

The parent/guardian must certify in writing, on a form provided by the District, the name, age, place of residence, and number of hours of attendance of each child in the program.

The Superintendent shall give the notice to produce records required by law if there is probable cause to believe the program is not in compliance with the law. Factors to be considered by the Superintendent or School Committee in deciding whether or not to approve a home education proposal may be:

1. The proposed curriculum and the number of hours of instruction in each of the proposed subjects.
2. The competency of the parents to teach the children,
3. The textbooks, workbooks and other instructional aids to be used by the children and the lesson plans and teaching manuals to be used by the parents.
4. Periodic standardized testing of the children to ensure educational progress and the attainment of minimum standards.

A student being educated in a home-based program within the District may have access to public school activities of either a curricular or extracurricular nature upon approval of the Superintendent.

A student, with the approval of the School Committee, may be awarded a high school diploma if he/she or she has satisfied the Dept. of Elementary and Secondary Education's

competency requirements and has met the District's educational standards for graduation.

LEGAL REFS.: M.G.L. 69:1D; 76:1, Care and Protection of Charles
Care and Protections of Charles - MASS. Supreme Judicial Court 399
Mass. 324 (1987)

HOME-EDUCATED STUDENTS/ATHLETIC ELIGIBILITY

Home educated students will be eligible to participate in interscholastic athletics at New Bedford High School if the following conditions are met:

1. The educational plan for the home educated student has been approved by the Superintendent or his/her designee.
2. The Headmaster has determined appropriate high school grade placement (9-12) for each home educated student in conjunction with chronological age and educational plan.
3. The student resides in the school district that serves New Bedford High School and must be living with his/her parents or legal guardians in the family residence.
4. The Headmaster is satisfied that the student meets the guidelines for athletic participation required for all other students as defined in the current MIAA Handbook. This should include, but not be limited to, those rules governing transfers, academic eligibility, age requirements, and the number of consecutive seasons of athletic eligibility beyond grade eight.
5. It is the responsibility of the parent/guardian/student to notify the Headmaster in writing by August 1 for fall sports, November 1 for winter sports, and March 1 for spring sports of a home educated student's desire to participate for that season.
6. MIAA requirements relative to academic eligibility must be reviewed by the Headmaster at the same times that all other student athletes are to be certified as academically eligible. It is the responsibility of the parent/guardian/student to make grade reports available to the Headmaster one week prior to the start of each season and one week prior to the issuance of report cards to the students at New Bedford High School.
7. If the Headmaster determines that all eligibility standards detailed above have been met, the Headmaster may declare the student immediately eligible to participate in interscholastic competition. The rights, privileges, and responsibilities associated with all other students attending MIAA members schools will apply to home educated students who have satisfied the requirements above.

ALTERNATIVE SCHOOL PROGRAMS

Some children have great difficulty coping with the conventional school program and as a result will drop out of school. Some children require more support and direct supervision than is reasonably available in conventional school settings. And, some children, along with a highly structured academic experience, require a special focus on life skills and an appropriate vocational involvement.

The School Committee will provide alternative education programs where these needs have been identified, where establishment of such programs is feasible, and where the proposed programs fall within the function normally associated with the public school system.

These alternative educational programs will seek to provide an appropriate academic, social, and vocational experience to aid these young people either to reenter the regular school system, move into another educational setting, or prepare them for successful employment.

LEGAL REFS.: M.G.L. 71:37I; 71:37J
Board of Education Regulations Pertaining to Section 8 of Chapter 636 of
the Acts of 1974, Regarding Magnet School Facilities and Magnet
Educational Programs, adopted 2/25/75

Adopted/Reviewed/Updated: 10/24/2016

REMOTE LEARNING

In the event of a district-specific emergency requiring the use of remote learning, the Superintendent of schools may declare such emergency. The remote learning plan below will be applicable in cases of disease, weather emergencies, and destruction of damage to schools rendering them inaccessible, or other extraordinary circumstances, including emergencies declared by government officials or the Superintendent.

When it becomes necessary for the school district to provide support to students who are unable to attend classes or access appropriate services due to an extended closure, the Superintendent shall establish a plan and procedures to ensure that such services are provided. The provision of educational services may include the use of technology and devices, and strategies designed to support student learning away from school.

The remote learning plan will, to the extent possible:

- Ensure the safety of all students and staff in coordination with appropriate local and state departments and agencies;
- Provide support for student social and emotional well-being and address the implications of trauma experienced by students or staff as a result of the emergency;
- Identify goals and strategies for maintaining standards of student achievement and school improvement plans;
- Ensure instruction and services are delivered by district educators and personnel as much as practicable; Utilize the most effective tools and resources available for students and staff, including the skills and talents of district personnel, in the delivery of instruction and services and share resources as needed;
- Provide resources and services equitably to meet the needs and circumstances of all students;
- Identify remedial strategies necessary after the emergency to advance student achievement (i.e. after school, extended day, summer school and contingency scheduling to cancel vacations);
- Gather information both during and after the period of emergency regarding the most effective means of remote learning to implement as appropriate.

In developing a remote learning plan, the Superintendent will:

- Identify and prepare effective means for communicating with staff, students, parents and community stakeholders;
- Consult with the School Committee to identify any extraordinary actions

necessary of authority required to administer emergency and remote learning plans. This includes any changes to district policies on the school calendar, grading, promotions and retentions, local graduation requirements, testing, and standards and accountability;

- Consult with administrators and principals to ensure the continuing education of students at all levels including:
 - Use of the most appropriate resources, tools and strategies to deliver the curricula give local circumstances and conditions;
 - Equitable access to appropriate content for all students;
 - Specific accommodations for students at high risk, including clients in special education, students with disabilities, English learners, students at economic disadvantage, homeless students, students in foster care and students of military families.
- Utilize available technological resources suitable for serving students at all levels. This inventory will be prepared in advance in anticipation of an emergency;
- Ensure the privacy rights of students, staff and families are protected, including assessing the security of district technology;
- Consult with bargaining units to determine if modifications to collective bargain agreements need to be established for the period of the emergency;
- Identify the financial implications of the emergency plan and recommend transfer of funds as may be necessary.

LEGAL REFS.: 20 U.S.C. 1232 Family Education Rights and Privacy Act (FERPA)
15 U.S.C. 6501-6506 Children’s Online Privacy Protection Act (COPPA)

CROSS REFS.: EBCD Emergency Closings
IGA Curriculum Development
IGB Support Services Programs
IHBEA English Learner Education
IJND Access to Digital Resources
IJNDB Empowered Digital Use
IJNDC Internet Publication
IJNDD Policy on Social Media
IHBEA English Language Learners
JB Equal Educational Opportunities
JBB Educational Equity

SOURCE: MASC – May 2020
ADOPTED: August 2020

SUMMER SCHOOLS

The school system shall make available summer sessions as a supplement to the instruction offered during the school year, when funding for such programs is available. The program will focus on enrichment opportunities, remedial work, and the continuity of a student's educational program.

Students at all instructional levels may attend approved summer schools for remedial, enrichment, or make-up purposes. Credit towards graduation requirements may be granted high school students in line with regulations of the School District.

LEGAL REF.: M.G.L. 71:28

Adopted/Reviewed/Updated: 10/24/2016

8th GRADE DUAL ENROLLMENT PROGRAM

The New Bedford Public Schools has established a program where qualified 8th grade students in the New Bedford Public Schools may enroll in certain courses at New Bedford High School during their 8th grade year. The intent of dual enrollment at 8th grade is to engage students and families in New Bedford High School at this early stage so that they come to embrace the opportunity to be part of the only comprehensive high school in the city. This will set them on the pathway to enroll in Advanced Placement courses and to earn the coveted College Board Capstone Diploma as a gateway for consideration to be accepted by the most competitive colleges and universities.

Eighth grade students who reside in the City but who do not attend New Bedford Public Schools may be permitted to enroll in designated dual enrollment classes at New Bedford High School under the following guidelines:

- The program will be available on a priority basis to students enrolled in New Bedford Public Schools first.
- If there is space available in the program after qualified students enrolled in the New Bedford Public Schools have been placed, 8th grade students who reside in the City or are enrolled in Acushnet Public Schools may participate subject to the establishment of a Memorandum of Understanding (MOU) between the sending district and New Bedford Public Schools approved by the School Committee.
- New Bedford Public Schools do not discriminate and academic eligibility for attendance will be the same for all students.
- The Superintendent will seek school committee approval if the number of participants from outside the New Bedford Public Schools will require additional staffing or create costs that may negatively impact the budget.

The Superintendent will make the determination if the program, based on enrollment data, should continue for students outside of New Bedford Public Schools at the end of each academic year.

LEGAL REFS: M.G.L. 71:37; and 71:59

Adopted: June 11, 2018

INSTRUCTIONAL MATERIALS

The School Committee believes that materials appropriate to the needs of the school program must be available to each student and teacher. These will be furnished by the School Committee subject to budgetary constraints.

The task of selecting instructional materials for programs will be delegated to the professional staff of the school system. Because instructional programs and materials are of great importance, only those that meet the following criteria will be approved by the Committee:

1. They must present balanced views of international, national, and local issues and problems of the past, present and future.
2. They must provide materials that stimulate growth in factual knowledge, literary appreciation, aesthetic and ethical values.
3. They must help students develop abilities in critical reading and thinking.
4. They must help develop and foster an appreciation of cultural diversity and development in the United States and throughout the world.
5. They must provide for all students an effective basic education that does not discriminate on the basis of race, age, color, religion, national origin, sex, gender identity, physical disabilities or sexual preference.
6. They must allow sufficient flexibility for meeting the special needs of individual students and groups of students.

LEGAL REFS.: M.G.L. 71:48; 71:49; 71:50
BESE regulations 603 CMR 26.00

CROSS REF.: KEC, Public Complaints about the Curriculum or Instructional Materials

Adopted/Reviewed/Updated: 10/24/2016

RECONSIDERATION OF INSTRUCTIONAL RESOURCES

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

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

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

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

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

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

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

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

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

Adopted/Reviewed/Updated: 10/24/2016

LIBRARY MATERIALS SELECTION AND ADOPTION

The School Committee endorses the School Library Bill of Rights, as adopted by the American Library Association, which asserts that the responsibility of the school library is to:

1. Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
3. Provide a background of information that will enable students to make intelligent judgments in their daily lives.
4. Provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.
5. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
6. Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

Initial purchase suggestions for library materials may come from all personnel--teachers, coordinators, and administrators. Students will also be encouraged to make suggestions. The librarian will recommend materials to be included in the school library. Final approval and authority for distribution of funds will rest with the building Principal subject to the approval of the Superintendent.

Gifts of library books will be accepted in keeping with the above policy on selection. Complaints about library books will be handled in line with Committee policy on complaints about instructional materials.

LEGAL REF.: 603 CMR 26:05

CROSS REF.: KEC, Public Complaints about the Curriculum or Instructional Materials

Adopted/Reviewed/Updated: 10/24/2016

LIBRARY RESOURCES

The primary objective of the library/media center is to implement its resources to enrich and to support the educational program of the school.

Definition of Library Resources

Library resources are those materials, both print and non-print, found in school libraries which support curricular and personal information needs. Print items include books, magazines, newspapers, pamphlets, microfiche or microfilm. Non-print items include films, disc records, filmstrips, slides, prints, audiotapes, videotapes, compact discs, and computer software.

Criteria for Selection of Library Resources

The criteria for selection of library resources in the District are:

- Needs of the individual student
Based on knowledge of students
Based on requests of parents and students
- Needs of the individual school
Based on knowledge of the curriculum of the school
Based on requests from the professional staff
- Provision of a wide range of materials on many levels of difficulty with a diversity of appeal and the presentation of different points of view.
- Provision of materials of high artistic quality.
- Provision of materials with superior format.
- Reputable, unbiased, professionally prepared selection aids are consulted as guides.

In accordance with the District's policy of providing instructional materials on opposing sides of controversial issues, it should be noted that neither the media centers nor the District serve as advocates for the ideas expressed in any materials, nor does the presence of any material indicate automatic endorsement of the ideas expressed therein.

Disclosure of Information/Privacy of Circulation Records

Circulation records shall not be made available to anyone except pursuant to such process, order, or subpoena as may be authorized by law.

Re-evaluation (Weeding) of Library Resources

The continuous review of library/media center materials is necessary as a means of maintaining a useful and active collection. As new materials are selected and added, some older materials are withdrawn. The responsibility for determining which materials are to be withdrawn rests with the professional staff.

Among the reasons for withdrawing an item are the following:

- Curricular changes have rendered superfluous some materials (or multiple copies of materials) formerly used but no longer in demand.
- Some materials contain factual material that is no longer accurate nor current.
- Some materials intended for recreational reading have become dated or unattractive and are no longer in demand. (Some such books, which are deemed "standards" or "classics", will be retained even though they rarely circulate).
- Some materials have become worn out, damaged or physically deteriorated and have lost utility and/or appeal.
- Some materials have been superseded by newer items, which present the same information, but in superior format.

Withdrawn library/media center materials are processed in one or more of the following ways:

- Made available to be used as resource or supplementary material by teachers.
- Offered to other media centers in the District, as it is possible that a material, which lacks utility in one building, may have some usefulness in another.
- Contributed to appropriate charitable or educational agencies.
- Discarded, when warranted.

Continuing evaluation is closely related to the goals and responsibilities of library/media centers and is a valuable tool of collection development. This procedure is not to be used as a convenient or expedient means to remove materials presumed to be controversial or likely to be disapproved by segments of the community. Materials are not to be proscribed or removed because of actual or potential partisan or doctrinal disapproval, nor because of the origin, background or views of those contributing to their creation.

Adopted/Reviewed/Updated: 10/24/2016

ACCESS TO DIGITAL RESOURCES

The School Committee supports the right of students, employees, and community members to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate manner.

Safety Procedures and Guidelines

The Superintendent, in conjunction with the Director of Technology, shall develop and implement appropriate procedures to provide guidance for access to digital resources. Guidelines shall address teacher supervision of student computer or tablet use, ethical use of digital resources and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of digital resources for prohibited or illegal activities and for the use of other programs with the potential of damaging or destroying programs or data.

Internet safety measures shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet as defined by the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA);
- Safety and security of minors when they are using e-mail, instant messaging applications, and other forms of direct electronic communications;
- Preventing unauthorized access, including hacking, viruses, and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors.

The School District shall provide reasonable public notice to address and communicate its internet safety measures.

Empowered Digital Use

All students and faculty must agree to and sign an Empowered Digital Use form prior to the student or staff member being granted independent access to digital resources and district networks. The required form, which specifies guidelines for using digital resources and district networks, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Director of Technology with a written request.

Employee Use

Employees shall use district email, district devices, and district networks only for purposes directly related to educational and instructional purposes.

Community Use

On recommendation of the Superintendent in conjunction with the Director of Technology, the district shall determine when and which computer equipment, software, and information access systems will be available to the community. All guests will be prompted to, and must accept the district's Access to Digital Resources Policy before accessing the district network.

Disregard of Rules and Responsibility for Damages

Individuals who refuse to sign required Empowered Digital Use documents or who violate district rules governing the use of district technology or networks shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, and network.

Individuals shall reimburse the district for repair or replacement of district property lost, stolen, damaged, or vandalized while under their care.

LEGAL REFS: 47 USC § 254

Adopted/Reviewed/Updated: 10/24/2016

EMPOWERED DIGITAL USE POLICY

Purpose

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

Availability

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

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

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

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

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

Adopted/Reviewed/Updated: 10/24/2016

INTERNET PUBLICATION

I. PURPOSE

The School District has established a district-wide web page that links users to web pages for the district's individual schools. The School District maintains these web pages for educational purposes only, in furtherance of the educational mission of the School District. All published pages and corresponding links to other sites must relate to the district's educational mission.

II. SUPERVISION AND APPROVAL OF WEB PAGES

The Superintendent (or his/her designee) may select the person or persons ("the Webmaster") responsible for overseeing the school district's web pages and maintaining the web pages in a manner consistent with this policy and the school district's Access to Digital Resources Policy. The Webmaster must approve all links from the district web pages to other sites on the Internet. The Webmaster will review the links to ensure that the links are related to the district's educational mission.

Staff members may publish web pages related to their class projects or courses on their school's web site. Staff members must submit their material to the Webmaster for approval before the material can be published. Staff members may not publish or link to personal web pages as part of the school district web site.

Student or staff work (e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork) may be published on the district's web pages, as detailed below. All work that is published will be accompanied by a copyright notice written by the Webmaster that prohibits copying the work without the written consent of the copyright holder.

III. CONTENT STANDARDS

All web page materials are expected to be accurate, grammatically correct and free of spelling errors. Student work may deviate from this standard depending upon the age and grade level of the student. Web pages should be well-organized and professional in appearance. Web pages must not contain copyrighted or trademarked material belonging to others unless written permission to display such material has been obtained from the owner and the owner is credited on the school's web page.

IV. SAFETY PRECAUTIONS

A. In general

Identifying information about students, such as first and last names, personal phone numbers or home addresses, will not be published. First names or first names and the first letter of the student's last name may be used where appropriate.

B. Student photographs

- Student photographs may be published only with the written consent of the student's parent or guardian.
- Student photographs will not be accompanied by identifying information about the student(s).

C. Student work

Student work, e.g. voice, likeness, quotes, written material, musical pieces, and graphic or other artwork, may be published only with the written consent of the student's parent or guardian.

D. Staff photographs, identifying information and work

- Photographs of staff members, accompanied by the staff member's full name, may be published only with the staff member's written consent.
- Staff work, e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork, may be published only with the staff member's written consent.

Adopted/Reviewed/Updated: 10/24/2016

POLICY ON SOCIAL NETWORKING WEB SITES

All staff will be annually trained regarding the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The training will give special emphasis to:

- 1) Improper fraternization with students using Facebook and similar internet sites or social networks, or via cell phone, texting or telephone.
 - a. Staff may not list current students as "friends" on networking sites.
 - b. All e-contacts with students should be through the district's computer and telephone system, except emergency situations.
 - c. All contact and messages by coaches with team members shall be sent to all team members, except for messages concerning medical or academic privacy matters, in which case the messages will be copied to the athletic director and the school principal.
 - d. Staff will not give out their private cell phone or home phone numbers without prior approval of the district.
 - e. Inappropriate contact via e-mail or phone is prohibited.
- 2) Inappropriateness of posting items with sexual content
- 3) Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
- 4) Examples of inappropriate behavior from other districts, as behavior to avoid
- 5) Monitoring and penalties for improper use of district computers and technology
- 6) The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Superintendent or designees will periodically conduct internet searches to see if staff have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the School Principals and/or Superintendent or his designee will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up to and including termination.

Adopted: August 2010

Reviewed/Updated: October 2016

Reviewed/Updated: July 2020

CROSS REF.: IJNDC – Internet Publication

FIELD TRIPS AND STUDENT OVERNIGHT TRAVEL

The School Committee recognizes the educational value of field trips, tours and excursions, when an adjunct to an approved program and designed to attain specific program objectives. The School Committee feels that field trips are a privilege and not an entitlement. To the extent that budgetary resources permit, the Committee encourages and sanctions student trips and other out-of-district school activities, including participation in community civic projects and international travel which are of value in helping achieve each participating student's educational objectives.

1. All children in that classroom or that grade level will have an opportunity to participate in the school sponsored field trip.
2. If there is a fee for participation, children who could not attend due to a bona fide financial hardship may apply for financial assistance in order to participate in the field trip. (Destination and concern for the individual's self-esteem will always be a major factor in facilitating such a need.)
3. All out-of-state field trips over 150 miles will require the approval of the Superintendent and that the School Committee is notified by the Superintendent or his/her designee.
4. Appropriate chaperones shall be arranged based on pupil-staff ratio, the nature and/or destination of the field trip and the needs of the students.
5. All overnight field trips/events will require the approval of the Superintendent and that the School Committee is notified. All preparations for the trip must be completed no less than 30 days prior to the scheduled trip dates.
6. All international field trips sponsored by New Bedford Public Schools will require the approval of the Superintendent and the School Committee.

CROSS REF.: JJH-R, Student Overnight Travel Regulations

Adopted: 10/24/2016

Revised: 12/10/2018

COMMUNITY RESOURCE PERSONS/ SPEAKERS

Human resources are those individuals or groups who are invited into the schools to present supplementary information and ideas to the classroom course of study. These experiences afford students the opportunity to benefit from community viewpoints. Care should be taken in selecting these speakers so that they are individuals who respect diversity in thinking and varying views and who are not attempting to inappropriately influence points of view.

CROSS REF.: ADDA, C.O.R.I. Requirements

Adopted/Reviewed/Updated: 10/24/2016

SCHOOL VOLUNTEERS

It is the policy of the School Committee to encourage volunteer efforts in the schools. Parents/guardians, business representatives, senior citizens, and other community volunteers are recognized as important sources of support and expertise to enhance the instructional program and vital communication links with the community. The volunteer program will be coordinated in cooperation with building administrators.

CROSS REF.: ADDA, Background Checks
Adopted/Reviewed/Updated: 10/24/2016

STUDENT PROGRESS REPORTS TO PARENTS/GUARDIANS

The School Committee recognizes the school's obligation to give periodic reports of a student's progress and grades. The School Committee further recognizes that these reports are a vital form of communication between the schools and parents. The School Committee also believes that all progress reports must be based upon full information, accurately and honestly reported with the proper maintenance of confidentiality.

A report depicting the student's progress will be issued periodically following an evaluation by the appropriate teacher, teachers, or other professional personnel.

In addition to the periodic reports, parents will be notified when a student's performance requires special notification.

Grading and promotion will be based on improvement, achievement, capability of the student, and the professional judgment of the teacher and Principal.

Major changes in the reporting system shall be preceded by a cooperative study and evaluation by teachers, principals, parents, and the Assistant Superintendent, who will submit the proposal to the School Committee for consideration and approval.

Adopted/Reviewed/Updated: 10/24/2016

PROMOTION AND RETENTION OF STUDENTS

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

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

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

Adopted/Reviewed/Updated: 10/24/2016

**GRADUATION EXERCISES
(NEW BEDFORD HIGH SCHOOL)**

To maintain a graduation exercise which offers dignity and reflects a well-organized and orderly presentation, the following steps shall be observed:

1. The number of tickets issued to each graduating senior shall be eight (8).
2. Adults will perform the duty of ticket collectors, along with police security. The cadets/students will distribute booklets.
3. EVERY INDIVIDUAL, including all children, will require a ticket.
4. There will be a special seating section for up to one hundred (100) NBHS staff members only.
5. Required policy security will be set as recommended by the Graduation Committee.
6. The officer in charge of the police detail for graduation shall meet with the headmaster and his designees a week before graduation day.
7. Events connected to the ceremony, such as positioning of graduates, practice of the conclusion of the ceremony, decorations, sound system, etc., shall be reviewed annually.
8. Communications in the form of newsletters, parent letters, media publications, etc., shall be issued to explain the school's expectations to the students, parents and guests.
9. Security of the field will be reviewed annually.
10. Handicap seating will be located on the track or pre-arranged designated area and will require a special ticket. Additionally, only ONE PERSON will be allowed to accompany the individual given the special seating. The headmaster's designee shall be in charge of this area.
11. Media personnel asking to access the field will be contacted and given passes and notified of the specific expectations of the school administration.
12. A decision regarding postponement of the graduation exercises will be made by the Headmaster by 5:00 pm.

Adopted/Reviewed/Updated: 10/24/2016

EVALUATION OF INSTRUCTIONAL PROGRAMS

The School Committee considers comprehensive and objective evaluation of the effectiveness of the curriculum to be of primary importance. The Superintendent will provide for the translation of the stated instructional goals into objectives and for appraisal of their implementation in order to:

1. Determine educational needs and provide information for planning.
2. Indicate instructional strengths and weaknesses.
3. Check on the suitability of programs in terms of community requirements.
4. Show the relationship between achievement and the system's stated goals.
5. Provide data for public information.

Elements of this evaluation process may include:

1. Testing programs such as nationally standardized general achievement tests, nationally standardized tests in specific subject areas, and tests administered by other agencies.
2. Study of school achievement records.
3. Study of students' high school and drop-out records.
4. Use of outside services, participation in regional research studies, contracted evaluation services; evaluation services at cost to the school system must be approved in advance by the School Committee.
5. Teacher and parent evaluation of student behavior.
6. State Dept. of Elementary and Secondary Education specialists and services.
7. Evaluation by the regional accrediting association.
8. Evaluation by other agencies.

An evaluation of the curriculum and its effectiveness will be made periodically and reported to the Committee by the Superintendent.

STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH

In this policy, "surveys, analyses, or evaluations" refer to methods of gathering data for research purposes.

Without the prior written consent of the student's parent/guardian, or of the student if he/she is at least 18 years of age, no student shall be required as part of any program wholly or partially funded by the U.S. Department of Education to submit to any survey, analyses, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine eligibility for school programs or for receiving financial assistance under such program.

All instructional materials, including teachers' manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation shall be available upon request for inspection by the student's parent/guardian. For the purpose of this policy, "instructional material" does not include academic tests or assessments.

A parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.

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

The School District will notify parents of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Where practical, the District will also directly notify parents annually at the beginning of the school year when surveys, analyses, or evaluations are scheduled or anticipated. Parents shall have the opportunity to opt their child out of participation in any survey, analysis,

or evaluation. Students who are 18 years of age or older may opt out of such surveys, analyses, or evaluations.

Parents or eligible students who believe their rights have been violated may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education.

LEGAL REF.: Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h

CROSS REF.: [JRA](#), Student Records

SOURCE: MASC February 2018

Adopted: June 11, 2018

TEACHING ACTIVITIES/PRESENTATIONS

It is the desire of the School Committee that the best available strategies for bringing about learning be utilized in the District's schools. The instructional staff shall be expected to keep abreast of new and promising instructional ideas and practices developed in schools throughout the nation and to apply those which have potential for improving the learning program in the District's schools.

An educational climate shall be established which shall be conducive to rational thought, inquiry, and respect for the dignity of the individual. This educational climate will assist students in learning how to think rather than what to think and shall provide students the opportunity to identify, express, and defend their opinions without penalty or fear of reprisal or ridicule.

Nothing in this policy shall limit a parent/guardian's right to file a complaint to challenge the use of teaching activity or presentation.

Adopted/Reviewed/Updated: 10/24/2016

TEACHING ABOUT CONTROVERSIAL ISSUES/CONTROVERSIAL SPEAKERS

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

Teacher-Planned Classroom Discussions

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

Student-Initiated Forums on Controversial Issues

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

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

Requests from Groups or Individuals Outside the Schools

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

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

A Principal may grant an outside group or individual permission to post one notice of a public meeting for discussion of issues if the language of that notice conforms to the standards that prevail in the community. The Principal will determine the appropriate bulletin board for such notices.

Adopted/Reviewed/Updated: 10/24/2016

SCHOOL CEREMONIES AND OBSERVANCES

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

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

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

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

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

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

LEGAL REF.: 603 CMR 26:05
Adopted/Reviewed/Updated: 10/24/2016

PLEDGE OF ALLEGIANCE

New Bedford Public Schools strives to develop in our students an understanding of how the principles of democracy, equality, freedom, law and justice evolve in American society.

The New Bedford School Committee recognizes the importance of the Pledge of Allegiance in teaching these ideals.

The New Bedford School Committee affirms Massachusetts General School Law (Chapter 72, Section 69) on the display of the flag and the reciting of the Pledge on a daily basis.

The method of reciting the Pledge of Allegiance shall be left up to the discretion of the building principal.

The School Committee also affirms that students or teachers cannot be disciplined or singled out for failing to salute the flag.

LEGAL REFS.: M.G.L. 72:69

Adopted/Reviewed/Updated: 10/24/2016

ANIMALS IN SCHOOL

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

The School District is committed to providing a high quality educational program to all students in a safe and healthy environment.

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

Educational Program

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

Student Health

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

Animals Prohibited from School and School Grounds

Rabies is a growing problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. Based on the Massachusetts Departments of Health and Education recommendations the following animals are prohibited from schools and school grounds within the School District.

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

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

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

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

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

Exceptions may be made with the prior approval of the Superintendent of Schools.

Service Animals (Guide or Assistance Dogs)

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

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

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

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

The District shall not assume or take custody or control of, or responsibility for, any service animal or the care or feeding thereof. The owner or person having custody and control

of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal can also be excluded if it presents a direct and immediate threat to others in the school. The parent or guardian of the student having custody and control of the animal will be required to remove the service animal from District premises immediately.

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

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

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

LEGAL REF.: 28 CFR, Part 35

Adopted/Reviewed/Updated: 10/24/2016

SECTION J

STUDENTS

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JQ	STUDENT FEES, FINES AND CHARGES
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JRA-R	STUDENT RECORDS
JRD	STUDENT PHOTOGRAPHS

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, gender identity, national origin, sexual orientation, homeless status, physical and intellectual differences, pregnancy or pregnancy related conditions.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law, which prohibits discrimination in public school admissions and programs.

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

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

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Title IX, Education Amendments of 1972

M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

BESE regulations 603 CMR 26.00

BESE regulations 603 CMR 28.00

CROSS REF.: AC, Nondiscrimination 9-10-2012

SOURCE: New Bedford; MASC 2022

Revised: June 11, 2018

Revised July 2020

Revised January 2023

EDUCATIONAL EQUITY

The New Bedford Public Schools (NBPS) goal is to strive to address the needs of every student in each of our schools, subject to budgetary, space and other limitations.

Educational equity for the purpose of this policy is defined as providing all students, as reasonably practical, the high quality instruction and support they need to reach and exceed a common standard.

To achieve educational equity NBPS will commit to:

1. Systematically, when appropriate, use district-wide and individual school level data, disaggregated by race/ethnicity, gender/gender identity, national origin, language, special education, socioeconomic status and mobility to inform district decision making.
2. Raise the achievement of all students.
3. Graduate all students ready to succeed in a diverse local, national and global community.

In order to reach the goal of educational equity, as reasonably practical, for each and every student, NBPS shall:

1. Provide every student with access to high quality curriculum, support, and other educational resources.
2. Seek to promote educational equity as a priority in professional development.
3. Endeavor to create schools with a welcoming and inclusive culture and environment.
4. Provide multiple pathways to success in order to meet the needs of the diverse student body and actively encourage, support and expect high academic achievement for each student.

The Superintendent shall include equity practices in the district's strategic plan and goal strategies to implement this policy. The Superintendent, upon request, will periodically report to the Committee the progress of the implementation of this policy.

SOURCE: MASC

Adopted: July 2020

STUDENT-TO-STUDENT HARASSMENT

Harassment of students by other students will not be tolerated in the New Bedford Public Schools. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of New Bedford Public Schools, on school buses, or attending or engaging in school activities.

Harassment prohibited by New Bedford Public Schools includes, but is not limited to, harassment on the basis of race, sex, creed, gender identity, gender expression, English proficiency, ancestry, homelessness, religion, color, ethnicity, national origin, sexual orientation, marital status, or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion.

Harassment means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs, or activities;
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student, or;
- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Verbal, physical or written (including texting, blogging, or other technological methods) harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

New Bedford Public Schools will promptly and reasonably investigate allegations of harassment. The Principal of each building will be responsible for handling all complaints by students alleging harassment.

Retaliation against a student, because a student has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. A

student who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including suspension and expulsion.

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

LEGAL REF.: M.G.L. 151B:3A
Title VII, Section 703, Civil Rights Act of 1964 as amended
BESE regulation 603 CMR 26.00

REFS.: *"Words that Hurt,"* American School Board Journal, September 1999
National Education Policy Network, NSA

ATTENDANCE AREAS

Attendance areas for the various schools of the town will be drawn up by the Superintendent and approved by the School Committee. The primary considerations that govern the establishment of a school attendance area are school capacity and transportation considerations. Generally, students will attend the school in the attendance area in which they live.

In establishing an attendance area, New Bedford Public Schools will take into consideration safe walking conditions consistent to the District's transportation policies.

From time to time an overcrowded condition in an existing school, the development of new residential areas, or the opening of a new school may require the establishment or change of previously established school attendance areas.

The Committee will confer with community representatives prior to setting new attendance lines. However, the Committee's primary basis for judgment must be equality of educational opportunity for all students rather than the personal desires of any one group.

The Superintendent is authorized to make exceptions to attendance lines for individual children in the best interests of the student and/or the school.

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J

Board of Education Regulations Pertaining to Section 8 of Chapter 636 of the Acts of 1974, Regarding Magnet School Facilities and Magnet Educational Programs, adopted 2/25/75

Board of Education Regulations Pursuant to Chapter 636 of the Acts of 1974, adopted 9/10/74

Board of Education Regulations Pertaining to the Preparation of Racial Balance Plans which Involve Redistricting, adopted 4/24/73

CROSS REF.: JCA, Assignment of Students to Schools

Revised: July 2020

ASSIGNMENT OF STUDENTS TO SCHOOLS

Generally, students will be required to attend school in the attendance area in which they reside, unless the Superintendent or his designee has granted special permission.

Special permission may be granted for the following reasons:

1. If the change involves a hardship case or if there are medical considerations.
2. If the change appears to be in the interest of the child, of the schools, or for disciplinary and administrative reasons.
3. If the legal residence of the child changes from one attendance area to another during the school year and the parents/guardians wish the child to remain in his former school; permission will not extend beyond the current school year.
4. To permit students to take courses not offered in their assigned schools.

School bus transportation will not be provided for students attending schools outside their attendance area unless they can be accommodated on existing bus routes and schedules or a hardship is involved; or unless specific permission is granted by the

Superintendent.

SOURCE: MASC February 2019

LGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J
603 CMR 17.00
603 CMR 26.00

CROSS REF.: JC, Attendance Areas

ADOPTED: July 2020

ENTRANCE AGE

In an attempt to permit children to enter kindergarten or first grade at the time most appropriate for them individually, the School Committee establishes the following policy on entrance age:

1. Children who will be five years of age before September 1 of the school year during which they wish to enroll will be eligible to enter kindergarten for that school year.
 - The admission of children whose birthday falls on or after September 1 will be solely at the District's discretion. Criteria for this decision will include, but not limited to, current reports from previous schooling including data regarding social and academic performance and district assessment results.
2. Initial admission of children to the first grade (or other grades) will involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

SOURCE:	MASC February 2019
LEGAL REFS.:	M.G.L. 76:1 603 CMR
Revised:	July 2020

SCHOOL ADMISSIONS

All children of school age who reside in the district will be entitled to attend the public schools, as will certain children who do not reside in the district but who are admitted under School Committee policies relating to nonresident students or by specific action of the School Committee.

Advance registration for prospective kindergarten students will take place in the spring. Every student seeking admission to school for the first time must present a birth certificate or equivalent proof of age acceptable to the Principal and proof of vaccination and immunizations as required by the state and the School Committee. Proof of residency of the individual holding legal guardianship may also be required by the school administration.

SOURCE: MASC
Revised: July 2020

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A
603 CMR 26.00

CROSS REFS.: JLCA, Physical Examination of Students
JLCB, Inoculations of Students
JFBB, School Choice
JFABD Homeless Students Enrollment Rights and Services
JFABE Educational Opportunities for Military Children
JFABF Educational Opportunities for Children in Foster Care

ADMISSION OF TRANSFER STUDENTS

The school district will enroll and place students who have left Commonwealth charter schools by adhering to the same policies and procedures in place for any other student enrolling in the school district including, but not limited to, examination of the course of study and level of academic attainment of the student when determining the student's appropriate grade placement or eligibility for high school graduation.

To the same extent provided for other students enrolling in the school district, students who enroll in the school district from a Commonwealth charter school shall be subject to the graduation requirements of the school district, may have certain graduation requirements waived, and may make-up certain graduation requirements.

LEGAL REFS.: Chapter 12, Section 11 of the Acts of 2010

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

As required by law, New Bedford Public Schools will work with homeless children and youth and unaccompanied youth (collectively homeless students) as well as their families or legal guardians to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district's services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, school nutrition programs, summer programming and extracurricular activities.

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

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

Students Remaining in Schools of Origin

It is presumed to be in the best interest of homeless students to remain in their schools of origin i.e. the school that the student was attending at the time he or she became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to attend their school of origin for as long as they remain homeless or until the end of the academic year in which they obtain permanent housing. For homeless students who complete the final grade level served by the school of origin, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The district will transport students who are sheltered or temporarily residing within the district to the students' school of origin. For

homeless students attending a school of origin located outside the district in which the student is sheltered or temporarily residing, the district in which the school of origin is located will coordinate with the district the student is sheltered in or temporarily residing to provide transportation services necessary for the student, and these districts will divide the cost equally. Formally, homeless students who find permanent housing mid-school year will continue to receive transportation services until the end of the school year.

Students Enrolling in District Where Sheltered or Temporarily Residing

Parents or guardians may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin. Enrollment changes for homeless students should take place immediately.

If homeless students are unable to provide written proof of their shelter or temporary residence in the district, the homeless liaison will work with the family seeking enrollment to determine homelessness. Information regarding a homeless student's living arrangement shall be considered a student education record, and not directory information. Records containing information about the homeless student's living arrangement may not be disclosed without the consent of the parent or satisfaction of another student-privacy related exemption.

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

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

Dispute Resolution

If the district disagrees with a parent or guardian's decision to keep a student enrolled in the school of origin and considers enrollment in the district where the student is sheltered or temporarily residing to be in the student's best interest, the district will explain to the parent, in writing and in a language the parent can understand, the rationale for its determination and provide parent with written notice of their rights to appeal the district's

determination to the Massachusetts Department of Elementary and Secondary Education³. During the pendency of any such appeal, the student should remain enrolled in the school selected by the parent or guardian, receiving transportation to school and access to other available services and programs.

The Massachusetts Department of Elementary and Secondary Education's Advisory of Homeless Education Assistance contains additional information about educating homeless students and the appeal process. This advisory is available at the following link: <http://www.doe.mass.edu/mv/haa/mckinney-vento.docx>

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

¹ A homeless child or youth not in physical custody of a parent or guardian. 42 USC 11434a

² Translation of communications of this type is required by Title I, among other laws. See e.g. 20 USC – 6312

³ Information about the dispute resolution process managed by the Department of Elementary and Secondary Education can be located here: <http://www.doe.mass.edu/mv/haa/03-7.html>

SOURCE: MASC/New Bedford

LEGAL REFS.: The McKinney-Vento Act and Title I, Part A, as amended by the Every Student Succeeds Act of 2015

Adopted: 01/12/2015

Revised: 05/13/2019

Revised: July 2020

EDUCATIONAL POLICY FOR MILITARY CONNECTED STUDENTS

To facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents/guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The district believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents'/guardians' frequent moves and deployment.

Definitions

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

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

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

Eligible students are children of military families as well as the children of veterans who have been severely injured and medically discharged, and children of active duty personnel who died on active duty. Children of retired active duty personnel are also eligible to receive services for one year following the discharge due to severe injury, or the retirement or death of an active military parent. The Compact does not apply to children of inactive Guard or Reserves, veterans and retired personnel not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.

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

LEGAL REFS: M.G. L. [15E](#); Interstate Compact on Educational Opportunity for Military Children (MIC3)

SOURCE: MASC October 2019

Adopted: 12/10/2018

Revised: 05/13/2019

Revised: July 2020

EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE POLICY

The purpose of this policy is to ensure the educational stability of students in foster care. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting all efforts to ensure that students in foster care have equal access to high-quality, stable educational experiences from preschool (if offered) through high school graduation.

Irrespective of the location of a foster care placement, students in foster care will continue to attend their school of origin, unless after a collaborative decision-making process, it is determined to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care. Enrollment of Students in the district where they reside in foster care will take place immediately upon such a determination.

The district has designated a point of contact for students in foster care. The district and the point of contact will collaborate with the Department of Children and Families (DCF) to ensure that students can access transportation and the other services to which they may be entitled.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (or if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when appropriate) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and account for unique factors about the student and his or her foster care placement. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care; however, DCF will finalize the best interest determination if the relevant parties cannot agree on the best school for the student to attend.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. To the extent feasible and appropriate, the district will ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

Transportation

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

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

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be immediately enrolled in the district in which he or she resides in foster care. During enrollment of students in foster care, DCF representatives will present the district with a form indicating that the student in foster care, along with a state agency identification badge.

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

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to students in foster care (homeless families) on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

LEGAL REFS: Every Student Succeeds Act 2015 (ESSA); Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

Adopted: 12/10/2018

Revised: 5/13/2019

Revised: July 2020

SOURCE: MASC October 2019

SCHOOL CHOICE

It is the policy of this school district to admit non-resident students under the terms and conditions of the Inter-district School Choice Law (M.G.L. 76:12B.) This decision must be reaffirmed annually prior to June 1st by a vote of the School Committee following a public hearing. In the event the New Bedford School Committee votes to participate, the following local conditions would apply:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, a public hearing will be held to review participation in the school choice program.
3. That resident students be given priority placement in any classes or programs within the district.
4. That the selection of non-resident students for admission when the number of requests exceeds the number of available spaces be in the form of a random drawing. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
5. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the district until graduation from high school except if there is a lack of funding of the program.
6. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religious creed, national origin, sex, gender identity, age, sexual orientation, ancestry, athletic performance, physical handicap, special need, academic performance, proficiency in the English language, pregnancy or pregnancy related conditions.

LEGAL REFS: M.G.L. 71:6; 71:6A; 76:6; 76:12; 76:12B

BESE Regulations 603 CMR 26:00

[Acts of 2022, Chapter 117](#) (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

Source: MASC 2022

Amended: June 11, 2018

Revised: January 2023

INFORMING SCHOOL LEAVERS OF ACCESSIBLE OPPORTUNITIES

New Bedford Public Schools will send a written notice, in English or the language requested, annually to former students who have not earned their competency determination and who have not transferred to another school to inform them of the availability of publicly funded post-high school academic support programs and to encourage them to participate in these programs. The notice is sent by first class mail to the last known address of each such student who attended high school in New Bedford within the past two years, highlighting the importance of the student and the parent/guardian keeping their contact information current with New Bedford Public Schools.

NEW BEDFORD PUBLIC SCHOOLS ATTENDANCE PHILOSOPHY AND POLICY

Learning and achievement are the highest priorities in the New Bedford Public Schools. Attendance is a major factor that influences student learning. Students cannot learn if they are absent. Regular school attendance can be achieved through a partnership between students, parents and the school.

Student attendance is the number one factor affecting the overall achievement of students. Teaching students the discipline that they need in order to survive in the 21st century work place is one of our main jobs, and we must help students understand the consequences of poor attendance throughout their educational career. In fact, good attendance is the number one issue that employers identify as making a good employee.

This attendance policy is designed to foster a culture of learning at New Bedford Public Schools.

This policy:

- Establishes firm expectations that on-time school and class attendance are important in sustaining the learning environment and in meeting individual learning needs.
- Provides significant flexibility and opportunities to accommodate legitimate absence or lateness with a minimum of administrative procedure.
- Assures timely flow of information from parents to school, and from school to parents about attendance at school and in class so that both can work to improve a situation before a student's education suffers.
- Clearly defines the responsibilities of students, educators, and parents regarding absences, tardiness and dismissals.
- Employs a tiered model of supportive interventions which focus on the needs of the "whole child", a productive partnership between home and school, and the utilization of juvenile court as a last resort effort to ensure students and parents adhere to state attendance laws.

Massachusetts General Laws Related to Attendance

Chapter 76 Section 1 of the Massachusetts General Laws (MGL) states that children between the ages of six and sixteen must attend school. Students as well as parents/guardians can be charged with a CRA petition if a student has seven or more unexcused absences in a six month (or semester) period.

Chapter 119 Section 21 of the Massachusetts General Laws (MGL) provides for the "Protection and Care of Children, and Proceedings Against Them." The section defines Child Requiring Assistance (CRA) as:

* A child below the age of seventeen who persistently runs away from the home of his parents or legal guardian, or persistently refuses to obey the lawful and reasonable commands of his parents or legal guardian, thereby resulting in said parent's or guardian's inability to adequately care for and protect said child, or a child between the ages of six and sixteen who persistently and willfully fails to attend school or repeatedly violates the lawful and reasonable regulations of his school.

The Role of the Attendance Officer

According to MGL Chapter 76 Section 1, "the school committee of each town shall provide for and enforce the school attendance of all children actually residing therein in accordance herewith."

The New Bedford Public Schools employs Attendance Officers at the elementary, middle and high school levels. These staff has the responsibility to monitor and investigate school-wide attendance trends as well as individual student attendance. Attendance officers frequently communicate with parents/guardians through written notification, phone calls, and home visits. They also work closely with teachers and administration to develop plans and intervene if a student develops a pattern of chronic attendance. Following supports and interventions provided by the New Bedford Public Schools, if a student continues to fail to attend school regularly or a parent/guardian fails to send their child to school, it is the Attendance Officer's responsibility to protect the rights of the child and file a complaint with the juvenile court system. If at any time an Attendance Officer (mandated reporter) believes a child to be in danger they must file a 51A complaint with the Department of Children and Family Services (DCFS).

Definitions

EXCUSED ABSENCE:

While the school recognizes "legitimate" reasons for an interruption in a student's education, the casual "day off" will not be recognized as an excused absence. The following list of circumstances, all of which require official written verification or documentation, would constitute an excusable absence/tardy:

- Medical appointments/illness verified in writing by a professional health care provider or the school nurse
- Death of a family member

- Observance of a major religious holiday
- School related absence (i.e., dismissals for field trips, suspensions, ASA, sports events, etc.)
- Legal obligations
- Verified post high school visitation
- Absence approved by the Headmaster
-

If a student is absent for one of the above reasons, he/she will provide their homeroom teacher with the appropriate documentation.

* Students are responsible for make-up work associated with ALL excused absences.

UNEXCUSED ABSENCE: When in school, students are expected to attend all classes unless excused by an administrator or the nurse.

- If a student is in school, fails to attend a class, and does not have such an excuse, the absence from class is unexcused.
- If a student arrives to class beyond the halfway point without a valid excuse and corresponding pass, the tardy will be considered an unexcused absence for that class.
- If a parent fails to provide written documentation indicating a valid reason for an absence, the school will classify the absence as unexcused (please refer to the list of excusable absences above).

TARDINESS:

If a student is not present in his/her classroom/homeroom at the bell, the student will be marked tardy; a student attending less than half a school day is considered absent. A written excuse (as described earlier) is required.

Please Note: Being tardy to school or class may result in the assignment of appropriate disciplinary actions by the housemaster, which may include, parental contact, Detentions, In-School Suspension, and Saturday Alternative to Suspension days. Failure to comply may result in further disciplinary actions.

DISMISSAL:

A student wishing to be dismissed during a session must present a signed note from the parent or guardian to the Housemaster. It must include the student's full name, reason, date and time for dismissal, and a telephone number where the Housemaster can reach the parent or guardian for verification and approval.

SUSPENSION:

Students who are absent due to out-of-school suspension will be marked absent and will be expected to make up missed assignments, homework and tests.

TRUANCY:

Truancy is defined as being absent from school without the permission of a parent or guardian. Any student who is found to be truant may be required to return to school accompanied by a parent or guardian. Please Note: A parent's note cannot excuse truancy if the absence does not meet the criteria of an excused absence.

CHRONIC ABSENCE:

Missing 10% (18 days) or more of a school year.

Documentation Requirements

Written documentation is required from a parent or guardian for any and all absences, tardiness and dismissals in Grades K-8.

The note must list the date(s) of absence(s); the student's full name and it must clearly state the reason for the absence. Recommended documentation includes, but is not limited to:

- Doctors' or Dentists' notes
- Court/legal documentation for the legal obligation of the student (not family and friends)
- College or verified post high school visit documentation, etc.
- The student will submit the documentation indicating the reasons for his/her absence to the homeroom teacher. All notes will be verified and kept on file.
- The document must include the date absent, the reason for the absence, a working phone number where a parent or guardian can be reached and the parent or guardian's signature.
- A copy of an obituary or verification of religious affiliation may be requested by the Housemaster or Attendance Officer.
- Should a school official become aware that written documentation for any absence(s) has been fabricated, the absence(s) will not qualify as "approved" and will not be allowable for the Buy Back option.

Please Note: The New Bedford Public Schools' district policy does not recognize family vacations as an excused absence.

Attendance Requirements & Procedures

Students will not receive full credit for a course (regardless of the grade received) when a student exceeds the following:

- 5 unexcused absences in a class that meets daily in a semester
- 2.5 unexcused absences in a class that meets on alternating days in a semester
- 10 unexcused absences in a full year

This in turn may place the student in jeopardy of attaining the required Units and/or Courses necessary for graduation.

Parent/Student Notification

- The New Bedford Public Schools automated call system will inform the primary contact number when a student is absent or tardy.

Please Note: It is the responsibility of the students' parent/guardian to provide an updated valid working phone number to the school at all times.

- Parents, guardians and age of majority students will be notified that a student is in danger of not receiving full credit through issuance of a warning notice.

Dropout Prevention

No student who has not graduated from high school shall be considered permanently removed from school unless the Principal has sent notice to a student, and that student's parent/guardian, who has been absent from school for ten (10) consecutive days of unexcused absence. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Headmaster or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental effects of early withdrawal from school and the

alternative education programs and services available to the student.

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

Denial of admission means the withholding of the privilege of enrolling in a school of the District.

The following shall be the grounds for denial of admission to school or diversion to an appropriate alternative program:

- Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;
- Failure to meet the requirements of age by a student who has reached the age of six years at a time after the beginning of the school year, as fixed by the School Committee as provided in Massachusetts General Laws;
- Not being a resident of the District and the District has opted not to participate in the School Choice Law;
- Failure to comply with the provisions of the Massachusetts School Entry Immunization Law.

LEGAL REFS.: M.G.L. 71:37H; 76:12; 76:12A; 76:12B
 603 CMR 26:00

STUDENT INVOLVEMENT IN DECISION-MAKING

As appropriate to the age of students, class or school organizations and school government organizations, such as student councils, may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The Committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at Committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

Student Advisory Committee

As required by state law, the Committee will meet at least once every other month while school is in session with its student advisory committee, which is composed of five students elected by the high school student body. The chair of the student advisory committee shall be an ex-officio nonvoting member of the School Committee without the right to attend executive sessions unless such right is expressly granted by the School Committee.

LEGAL REF.: M.G.L. 71:38M

STUDENT DISCIPLINE

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication to be made available to students and parents.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

Suspension:

In every case of student misconduct for which suspension may be imposed¹, a Principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

Notice of Suspension:

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent oral and written notice, and provide the student an opportunity for a hearing and the parent an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to student and parent in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent present, the Principal must be able to document reasonable efforts to include the parent.

Emergency Removal:

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption.

¹ Except for offenses referenced in the note at the end of this policy.

The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

In School Suspension – not more than 10 days consecutively or cumulatively

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

Principal's Hearing – Short Term Suspension of up to 10 days

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

Principal's Hearing – Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The

right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the Principal and the parent.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

Superintendent's Hearing

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing – Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

Expulsion

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or

admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Academic Progress

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

Reporting

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

LEGAL REF: M.G.L. 71:37H; 71:37H ½; 71:37H ¾; 76:17; 603 CMR 53.00

Chapter 222 An Act Relative to Student Access to Educational Services and Exclusion from School
REFS.: Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973 -

<https://www2.ed.gov/about/offices/list/ocr/docs/504-discipline-guidance.pdf>

Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's (IDEA's) Discipline Provisions. - <https://sites.ed.gov/idea/files/qa-addressing-the-needs-of-children-with-disabilities-and-idea-discipline-provisions.pdf>

SOURCE: MASC - Updated 2022
Revised January 2023

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, S. 37H or 37H½. The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year. Except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereon

STUDENT DRESS CODE

The responsibility for the dress and appearance of the students will rest with individual students and parents/guardians.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that students will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

LEGAL REF.: Acts of 2022, Chapter 117 -

<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

M.G.L. [71:83](#)

LEGAL REF: [Creating a Respectful and Open World for Natural Hair Act of 2022](#)

SOURCE: MASC - Updated 2022

Revised January 2023

STUDENT CONDUCT ON SCHOOL BUSES

The School Committee and its staff share with students and parents the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations approved by the School Committee.

STUDENT PUBLICATIONS

Within the school setting, students enjoy the constitutional right of freedom of expression, including the right to express their views in student publications, provided such expression does not cause, or threaten to cause by reasonable forecast by school officials, any disruption or disorder in the school. Additionally, such constitutional right of freedom of expression does not include expression which is obscene, defamatory, or advocates violence or illegality where such advocacy is imminently likely to incite the commission of such acts to the detriment of school security, or which can reasonably be forecast to cause substantial disruption or material interference with school activities.

The School Committee will at least annually review their support of student publications, and encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views subject to the limitations as contained in this policy.

Student publications will be encouraged to comply with the rules for responsible journalism. Students shall affix their names to all articles or editorials written by or contributed to by them. The Superintendent will establish guidelines that are in keeping with this policy and provide for review of student publications prior to their distribution, to address matters that are not protected forms of expression.

Each student publication shall contain the following: "Pursuant to state law, no expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students."

Distribution of Literature

The time, place and manner of distribution of literature will be reasonably regulated by the Principal.

LEGAL REF.: M.G.L. 71:82

GANG ACTIVITY/SECRET SOCIETIES

The goal of the School Committee is to keep District schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, ethnic intimidation, or disruptive or illegal behavior. The Principal or his/her designee shall maintain supervision of school premises to deter intimidation of students and confrontations between members of different gangs.

The Superintendent shall establish open lines of communication with local law enforcement agencies so as to share information and provide mutual support in this effort within appropriate legal guidelines.

The Superintendent shall provide in-service training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately. Staff members shall be informed about conflict management techniques and alerted to intervention measures and community resources that may help students.

Symbols

The School Committee finds that gang symbols are inherently disruptive to the educational process, and therefore prohibits the presence of any insignia, apparel, jewelry, accessory, notebook or other school supply, or manner of grooming which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in gangs. The School Committee further prohibits any demonstration of gang membership through the use of hand gestures, graffiti, or printed materials. This policy shall be applied by the Principal or his/her designee as the need for it arises individual school sites. A student may be suspended or expelled for failure to comply with the provisions of this policy.

Prevention Education

The School Committee realizes that students may become involved in gangs without understanding the consequences of such membership. Early intervention is a key component of efforts to break the cycle of such memberships. Therefore, gang violence prevention information shall be made available in the elementary, middle, and high schools as appropriate.

SECRET SOCIETIES

Fraternities, sororities and/or secret societies shall not receive District or building recognition in any manner.

A student may be suspended or expelled for failure to comply with the provisions of this policy.

PROHIBITION OF HAZING

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

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

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

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

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

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

LEGAL REF.: M.G.L. 269:17, 18, 19

SOURCE: MASC February 2019

Revised: July 2020

HAZING

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

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

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

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

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

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

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

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

SOURCE: MASC

BULLYING PREVENTION

New Bedford Public Schools is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

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

- causes physical or emotional harm to the target or damage to the target’s property;
- places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

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

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

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

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

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the _____ public schools;

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

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

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

Each school shall have a means for anonymous reporting by students of incidents of

bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

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

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school Principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

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

If the school Principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

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

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

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

Retaliation

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

Target Assistance

The _____ Public Schools shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

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

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

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the New Bedford Public

Schools website.

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

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model
Bullying Prevention and Intervention Plan

CROSS REFS.: AC, Nondiscrimination

ACAB, Sexual Harassment
JBA, Student-to-Student Harassment
JIC, Student Discipline
JICFA, Prohibition of Hazing

ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, at any school function, or at any school sponsored event.

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

Verbal Screening

- The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.
- Parents/guardians shall be notified of the verbal screening tool prior to or at the opening of school each year. Parents/guardians shall have the right to opt out of screening by written notice prior to or during the screening
- All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.

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

SOURCE: MASC February 2018

LEGAL REFS.: M.G.L.71:2A; 71:96; 71:97; 272:40A

CROSS REFS.: ADC Tobacco Products on School Premises Prohibited

GBEC Drug Free Workplace Policy

GBED Tobacco use on School Property by Staff Members Prohibited

IHAMB, Teaching About Drugs, Alcohol, and Tobacco

Revised: July 2020

USE OF CELL PHONES AND ELECTRONIC DEVICES

New Bedford Public Schools promotes the use of Technology as an effective environment for learning. However, given the degree to which unregulated use of cell phones and other personal electronic devices may interfere with teaching and learning, regulations will apply as follows:

1. Electronic devices may be used if necessary for special programs and educational needs as outlined in an Individual Education Plan (I.E.P) or as authorized.
2. Cell phones and personal electronic devices must be turned off and not visible during the school day in all academic areas or during academic programs unless authorized.

It is the expectation of the School Administration that all students will comply with these guidelines. Students not adhering to guidelines of this policy will be subject to consequences outlined in the student handbook.

New Bedford Public Schools is not responsible for lost or stolen electronic devices under any circumstances.

SOURCE: New Bedford
Adopted: 12/10/2018

PREGNANT STUDENTS

The New Bedford Public Schools wishes to preserve educational opportunities for those students who may become pregnant and/or take on parenting responsibilities.

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.

The New Bedford Public Schools does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction, are offered; that return to school after leave is encouraged; and that every opportunity to complete high school is provided.

LEGAL REFS.: M.G.L. 71:84
 Title IX: 20 U.S.C. § 1681
 34 CFR § 106.40(b)

SEARCHES AND INTERROGATIONS

Searches by Staff

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

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

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

Interrogations by Police

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

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

SOURCE: MASC February 2019

Adopted: July 2020

STUDENT COMPLAINTS AND GRIEVANCES

The School Committee recognizes that there may be conditions in the school system that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community. Every attempt will be made to seek a satisfactory solution to any concerns in a friendly and informal matter.

Students--and their parents and/or guardians--who believe that a student has received unfair treatment may bring forward their grievance through the appropriate channel. Appeals of individual disciplinary cases will be required to follow the district's policy on student discipline. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings.

CROSS REF: JIC Student Discipline

SOURCE: MASC February 2019

Revised: July 2020

CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

The School Committee believes that student activities are a vital part of the total educational program and should be used as a means for developing wholesome attitudes and good human relations and knowledge and skills. Therefore, the schools will provide a broad and balanced program of activities geared to the various ages, interests, and needs of students.

The following will serve as guides in the organization of student activities:

1. The schools will observe a complementary relationship to the home and community, planning activities with due regard for the widespread and rich facilities already available to students.
2. The assistance of parents in planning activity programs will be encouraged.
3. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents, and the student. This should be a shared responsibility.
4. Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.
5. All activities will be supervised; all clubs and groups will have a faculty advisor.

LEGAL REF.: M.G.L. 71:47; 76:5
 603 CMR 26.00

STUDENT ORGANIZATIONS

Student Organizations

Student organizations in the District shall be encouraged when they meet the criteria of contributing to student self-esteem and performance and should operate within the framework of state statutes, School Committee policies, and administrative procedures.

Each building Principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the Principal prior to the formation of any club or organization in the school and the assignment of at least one faculty or designated adult advisor to each approved student organization. Within such guidelines will be provisions for a periodic review of all student organizations.

The formation of any student organization that may engage in activities of a controversial nature shall require approval by the Principal and Superintendent.

All student organizations shall be required to open membership to all interested and/or eligible students. Disruptive groups, secret societies, and/or gangs shall not receive recognition in any manner under this policy (see also Policy JICF).

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school system or be degrading to the student.

The faculty or designated adult advisor must attend every meeting of the student organization whether conducted on school premises or at another location.

Student Organizations - High Schools

In addition to the above requirements, all clubs or organizations at the high school level will relate to the subject matter covered by the curriculum. The Principal is responsible for determining that the purpose of a student organization is related to the curriculum. The Principal is authorized to deny requests by unauthorized student organizations desiring to meet or form in a particular school, the Principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the appropriate District administrator for review of the Principal's decision.

SOURCE:	MASC February 2019
CROSS REF.:	JICF, Gang Activities/Secret Societies
LEGAL REF.:	603 CMR 26.00
Revised July 2020	

STUDENT FUND-RAISING ACTIVITIES

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

Exceptions to this policy will be:

1. Sale of tickets to scheduled athletic events and school dramatic and musical performances.
2. Sale of advertising space in school publications.
3. A fund-raising activity approved by the Superintendent.
4. Proposals to raise funds for charitable purposes or for benefit of the school or community (for example: American Field Service activities, United Nations, or scholarship funds) provided such proposals have been individually approved by the building Principal and Superintendent.

No money collections of any kind may be held in the schools without the specific consent of the Principals.

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

STUDENT ACTIVITY ACCOUNTS

Student funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the District and are subject to policies established by the School Committee and the Office of the Superintendent. The funds shall be only for the benefit of students and managed in accordance with sound business practices, which include accepted budgetary, accounting, and internal control practices. The Superintendent shall ensure that, annually, all Principals and student organizations receive a copy of this policy as well as a copy of established procedures for control of receipts and expenditures that meet or exceed DESE guidelines.

In compliance with Massachusetts General Law Chapter 71, Section 47, the School Committee:

1. Authorizes the Principals to accept money for recognized student activity organizations, which currently exist, or as from time to time may be revised. All funds received for student activities must be deposited into the Student Activity Agency Account and no funds shall be directly deposited to a Student Activity Checking Account except from the Student Activity Agency Account.
2. Authorizes the Town or District Treasurer to establish and maintain a Student Activity Agency Account(s) which is to be audited as part of the Town's annual audit. The interest that is earned on such accounts shall be maintained in the Agency Account and distributed annually among the Student Activity Checking Accounts as directed by the procedures established by the Superintendent.
3. Authorizes Student Activity Checking Accounts for use by the Principals with specific maximum balances established annually for each school by vote of the School Committee. Payments for expenditures shall be made, whenever possible, by check, debit, or EFT directly from the Student Activity Checking Account. Reimbursements to personal credit card holders shall require the prior authorization of the Superintendent. Signatory authorization for Student Activity Checking Accounts shall be restricted to the Principal and (Superintendent or Treasurer). Student Activity Checking Accounts shall be audited annually in accordance with DESE guidelines.
4. Directs Principals to provide the Treasurer with a bond in an amount agreeable to the Treasurer.
5. Shall annually, prior to the start of each school year, vote to establish or change the maximum balance that may be on deposit in each Student Activity Checking Account.

For accounts with maximum balance limits that exceed \$25,000.00, the School Committee

shall consider, in accordance with DESE guidelines, that an audit be conducted by an outside audit firm every three years

Graduating Class Funds

Funds held on behalf of graduating classes are to be held within the Student Activity Checking Account for the High School. Such funds shall be designated by the class' Year of Graduation.

Once a class has graduated from High School, their funds should be removed from the High School Student Activity Checking Account no later than two years from the date of graduation. It is the responsibility of the class officers to arrange for these funds to be removed from the High School Activity Checking Account. When requested, and once all outstanding financial obligations of the graduating class have been met, the remaining balance should be removed from the fund by check transfer payable to the Class of XXXX. Checks payable to individual members of the graduating class are not permitted..

Should the class officers not request to have their funds removed from the Student Activity Checking Account within two years of their graduating, the funds will be forfeited by the class and transferred into the General Sub-fund portion of the Student Activity Agency Account. These funds will then be allocated by a vote of the School Committee. Class officers should be given a copy of this policy during the course of their senior year to ensure their knowledge of their obligations to perform under this policy.

Inactive Student Activities

When a student activity ceases to be active for a period of three years or more the Principal or other authorized administrator shall require the following actions:

1. Obtain written notice from the faculty advisor or student officer that the activity will cease to be a viable account. If unable to obtain such notification the Principal shall request action to close the account from the School Committee.
2. Identify in writing all assets of the student activity. The disposition of any assets shall be determined by the School Committee and may not benefit specific individuals.
3. Annually notify all students of the required actions if an activity ceases to exist.

Student Activity Deficits

Individual student activity accounts are not permitted to be in a deficit position. Whenever a deficit exists that is not the result of timing, the Superintendent shall recommend remedial action to the School Committee in a timely manner.

SOURCE: MASC July 2018

LEGAL REFS: MGL [71:47](#)

CROSS REFS: [JJA](#) - Student Organizations

Revised: 12/10/2018

NOTE: DESE audit guidelines for Student Activity Checking Accounts require an annual audit. In regional districts these accounts may be a part of the annual audit by a third party auditor. In municipal districts the audits may be conducted by a district or municipal employee but not by the Principal, Treasurer, Superintendent, or any authorized signatory on the accounts. Districts with large numbers of schools may rotate the schools through the audit process.

STUDENT OVERNIGHT TRAVEL REGULATIONS

1. Transportation

The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Late night or overnight trips will use commercial motor coaches.

Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. CORI and/or background checks will be conducted in accordance with Massachusetts General Laws and School Committee policy.

The Superintendent or designee will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district will not contract with any carrier that has a safety rating of "conditional" or "unsatisfactory". FMCSA ratings are available at <https://ai.fmcsa.dot.gov/SMS/>.

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

2. Trip Scheduling

Overnight accommodations should be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 6:00 a.m., due to the increased risk of vehicular accidents during this time period.

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

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

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

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

3. Fundraising

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

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

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

Additional Resources

Federal Motor Carrier Safety Administration (FMCSA)

<https://www.fmcsa.dot.gov/>

United Motorcoach Association – Student Motorcoach Travel Safety Guide (includes "Motorcoach Safety Checklist")

<https://www.uma.org/consumer/student-transportation/>

Department of Defense's approved list of motor carriers
www.defensetravel.dod.mil/Docs/BusAgreementPOCs.pdf

SOURCE:	MASC February 2019
CROSS REFS.:	IJOA, Field Trips ADDA Background Checks
APPROVED:	March 10, 2004
LEGAL REFS.:	Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002 M.G.L. 69:1B; 71:37N; 71:38R 603 CMR 27.00
REVISED:	July 2020

INTERSCHOLASTIC ATHLETICS

The School Committee believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in inter-school sports.

Participation in interscholastic athletics will be subject to approval by the School Committee and will be in accordance with regulations and recommendations of the Massachusetts Interscholastic Athletic Association.

At the high school level, interscholastic athletic competition will include a variety of sports. Students will be allowed to participate in individual sports on the basis of their abilities and desire. Additionally, intramural athletic activities will be offered as an outgrowth of class instruction in physical education.

The Athletic Director will provide a seasonal report (three (3) times annually) to the School Committee and the Administration outlining the number of approved Grade 8 waivers by sport.

The School Committee is aware that team participation in athletic contests by members of the student body requires that "away games" be scheduled. It also recognizes that there is a need to regulate certain aspects of student participation in such contests. Therefore, the Superintendent will establish regulations to ensure the safety and wellbeing of students and staff members who participate in these activities.

LEGAL REFS.: M.G.L. 71:47; 71:54A; 76:5
 603 CMR 26.00

CROSS REFS.: AC, Nondiscrimination (and sub-codes)

Amended: June 11, 2018

ATHLETIC CONCUSSION POLICY

The purpose of this policy is to provide information and standardized procedures for persons involved in the prevention, training management and return to activity decisions regarding students who incur head injuries while involved in extracurricular athletic activities¹ including, but not limited to, interscholastic sports, in order to protect their health and safety as required by Massachusetts law and regulations. The requirements of the law apply to all public middle and high schools, however configured, serving grades six through high school graduation. In addition to any training required by law, the following persons shall complete one of the head injury safety training programs approved by the Massachusetts Department of Public Health (DPH) as found on its website: coaches; certified athletic trainers; trainers; volunteers; school and team physicians; school nurses; athletic directors; directors responsible for a school marching band; employees or volunteers; and students who participate in an extracurricular activity and their parents.

Upon the adoption of this policy by the School Committee, the Superintendent shall ensure that DPH receives an affirmation on school district letterhead that the district has developed policies and the School Committee has adopted a final policy in accordance with law. This affirmation shall be updated by September 30, 2013 and every two years thereafter upon review or revision of its policies.

The Superintendent shall maintain or cause to be maintained complete and accurate records of the district's compliance with the requirements of the Concussion Law, and shall maintain the following records for three years or, at a minimum, until the student graduates, unless state or federal law requires a longer retention period:

1. Verifications of completion of annual training and receipt of materials;
2. DPH Pre-participation forms and receipt of materials;
3. DPH Report of Head Injury Forms, or school based equivalents;
4. DPH Medical Clearance and Authorization Forms, or school based equivalents; and
5. Graduated reentry plans for return to full academic and extracurricular athletic activities.

¹ Extracurricular Athletic Activity means an organized school sponsored athletic activity generally occurring outside of school instructional hours under the direction of a coach, athletic director or marching band leader including, but not limited to, Alpine and Nordic skiing and snowboarding, baseball, basketball, cheer leading, cross country track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, marching band, rifle, rugby, soccer, skating, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate frisbee, volleyball, water polo, and wrestling. All interscholastic athletics are deemed to be extracurricular athletic activities.

This policy also applies to volunteers who assist with extracurricular athletic activities. Such volunteers shall not be liable for civil damages arising out of any act or omission relating to the requirements of law, unless such volunteer is willfully or intentionally negligent in his act or omission.

Most student athletes who sustain a concussion can fully recover as long as their brain has time to heal before sustaining another hit; however, relying only on an athlete's self-report of symptoms to determine injury recovery is inadequate as many high school athletes are not aware of the signs and symptoms or the severity concussive injuries pose, or they may feel pressure from coaches, parents, and/or teammates to return to play as quickly as possible. One or more of these factors will likely result in under-diagnosing the injury and a premature return to play. Massachusetts General Laws and Department of Public Health regulations make it imperative to accurately assess and treat student athletes when concussions are suspected.

Student athletes who receive concussions may appear to be "fine" on the outside, when in actuality they have a brain injury and are not able to return to play. Incurring a second concussion can prove to be devastating to a student athlete. Research has shown that young concussed athletes who return to play before their brain has healed are highly vulnerable to more prolonged post-concussion syndrome or, in rare cases, a catastrophic neurological injury known as Second Impact Syndrome.

The following protocol will discuss and outline what a concussion is, the mechanism of injury, signs and symptoms, management and return to play requirements, as well as information on Second Impact Syndrome and past concussion syndrome. Lastly, this policy will discuss the importance of education for our athletes, coaches and parents and other persons required by law.

This protocol should be reviewed on a yearly basis with all staff to discuss the procedures to be followed to manage sports-related concussions. This protocol will also be reviewed on a yearly basis by the athletic department as well as by nursing staff. Any changes in this document will be approved by the school committee and given to athletic staff, including coaches and other school personnel in writing. An accurate synopsis of this policy shall be placed in the student and faculty handbooks.

LEGAL REFS.: M.G.L. 111:222; 105 CMR 201.000

ATHLETIC CONCUSSION REGULATIONS

Section I. What is a Concussion?

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

Section II. Mechanism of Injury:

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

Section III. Signs and Symptoms:

Signs (what you see):

- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Altered coordination
- Balance problems
- Personality change
- Slow response to questions

- Forgets events prior to injury (retrograde amnesia)
- Forgets events after injury (anterograde amnesia)
- Loss of consciousness (any duration)

Symptoms (reported by athlete):

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

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

Section IV. Management and Referral Guidelines:

1. When an athlete loses consciousness for any reason, the athletic trainer will start the EAP (Emergency Action Plan) by activating EMS; check ABC's (airway, breathing, circulation); stabilize the cervical spine; and transport the injured athlete to the appropriate hospital via ambulance. If the athletic trainer is not available, the coach should immediately call EMS, check ABCs and not move the athlete until help arrives.
2. Any athlete who is removed from the competition or event and begins to develop signs and symptoms of a worsening brain injury will be transported to the hospital immediately in accordance with the EAP. **Worsening signs and symptoms requiring immediate physician referral include:**

- A.** Amnesia lasting longer than 15 minutes
 - B.** Deterioration in neurological function
 - C.** Decreasing level of consciousness
 - D.** Decrease or irregularity of respiration
 - E.** Decrease or irregularity in pulse
 - F.** Increase in blood pressure
 - G.** Unequal, dilated, or unreactive pupils
 - H.** Cranial nerve deficits
 - I.** Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
 - J.** Mental-status changes: lethargy, difficulty maintaining arousal, confusion, agitation
 - K.** Seizure activity
 - L.** Vomiting/ worsening headache
 - M.** Motor deficits subsequent to initial on-field assessment
 - N.** Sensory deficits subsequent to initial on-field assessment
 - O.** Balance deficits subsequent to initial on-field assessment
 - P.** Cranial nerve deficits subsequent to initial on-field assessment
 - Q.** Post-Concussion symptoms worsen
 - R.** Athlete is still symptomatic at the end of the game
- 3.** After a student athlete sustains a concussion, the athletic trainer will use the Standardized Assessment for Concussion (SAC) to assess and document the student athlete's concussion. The athletic trainer will also report on the student athlete's signs and symptoms by using the Signs and Symptoms Check-List. On the signs and symptoms checklist, the athletic trainer will also check pulse and blood pressure of each student athlete with a suspected concussion. After the initial evaluation of a concussion, all signs and symptoms will be tracked on the computer using the ImPact Test.
- 4.** Any athlete who is symptomatic but stable is allowed to go home with his/her parent(s)/guardian(s) following the head injury.
- A.** If the head injury occurs at practice, parent(s)/guardian(s) will immediately be notified and must come and pick up the student athlete and talk to the certified athletic trainer in person.
 - B.** If the injury occurs at a game or event, the student athlete may go home with the parent/guardian(s) after talking with the certified athletic trainer.
 - C.** Parent(s)/guardian(s) will receive important information regarding signs and symptoms of deteriorating brain injury/function prompting immediate referral to a local emergency room as well as return to play requirements.

Parent(s)/guardian(s), as well as student athletes, must read and sign the Concussion Information and Gradual Return to Play form and bring it back to the certified athletic trainer before starting with the return to play protocol.

Section V. Gradual Return to Play Protocol:

1. Student athletes, with the consent of their parent(s)/guardian(s), will start taking the ImPact Test (**or other approved test identified by the School District**). The ImPact Test is a tool that helps manage concussions, determine recovery from injury, and is helpful in providing proper communication between coaches, parents and clinicians. The ImPact Test is a neurocognitive test that helps measure student athletes' symptoms, as well as test verbal and visual memory, processing speed and reaction time. It is **mandatory** for all student athletes to take the ImPact Test for a baseline score in accordance with Massachusetts State Law. The law states that all public schools must develop safety protocols on concussions and all public schools must receive information on past concussion history. The ImPact Test appears to be a promising tool in monitoring a student athlete's prior concussions, as well as any future concussions.
2. Each student athlete will complete a baseline test at the beginning of their sport season. **All student athletes and club cheerleading members will undergo ImPact testing.** Student athletes will be re-tested every other year. If a student athlete plays more than one sport during the academic year, their test will remain valid. For example, if a soccer student athlete also plays basketball in the winter, the student athlete will not have to take the ImPact Baseline Test again in the winter. If a student athlete posts scores below the norm, the student athlete will be re-tested at another time with either the certified athletic trainer or school nurse. Student athletes cannot begin practice until a valid baseline score is obtained during their designated time to take the test.
 - A. At the beginning of every sport season, student athletes are required to complete a concussion history form and return it to the athletic department. This information will be recorded in the student information system for tracking purposes.
 - B. Following any concussion the athletic trainer must notify the athletic director and school nurses.
 - C. Following a concussion the student athlete will take a **post-injury test within 24 to 48 hours following the head injury. STUDENT ATHLETES WILL NOT BE ALLOWED TO MOVE ON TO FUNCTIONAL/PHYSICAL TESTING UNTIL THEIR IMPACT TEST IS BACK TO THE BASELINE SCORE AND ASYMPTOMATIC.** After a student athlete takes their first post-injury test, the student athlete will not be re-tested again for **5 days.**

- D. If, after the first post-injury ImPact test, the athlete is not back to his/her baseline the parent/guardian(s) will be notified, and the student athlete will be referred to their healthcare provider and must have the Concussion Information and Gradual Return to Play form signed by a physician, physician assistant, licensed neuropsychologist or nurse practitioner stating when the athlete is allowed to return to play.
- E. Following a post-injury test, the certified athletic trainer will take the Concussion Information and Gradual Return to Play form signed by the parent(s)/guardian(s) and fill in the date of all post-injury tests taken by each student athlete.
- F. The certified athletic trainer will also document the date on which the athlete is asymptomatic and sign the document agreeing that all the above statements are true and accurate.
- G. Once the athlete starts on the exertional post-concussion tests, the parent(s)/guardian(s) will be notified and the athlete will be sent home with all signed documents relating to head injury. At this time the parent/guardian(s) must bring the student athlete to a licensed physician, licensed neuropsychologist, licensed physician assistant, nurse practitioner or other appropriately trained or licensed healthcare professional to be medically cleared for participation in the extracurricular activity.
- H. **Student athletes who continue to exhibit concussion symptoms for a week or more must be evaluated by a physician before returning to play.**
- I. Once a student athlete's post-injury test is back at the student athlete's baseline score, the student athlete will go through 5 days of Exertional Post Concussion Tests. The student athlete must be asymptomatic for all functional and physical tests to return to play (RTP). All tests will be administered by a certified athletic trainer.

Exertional Post Concussion Tests:

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

zig-zags, carioca, box jumps, and hurdles).

D. Test 4: (80% maximum exertion). Limited, controlled sports specific practice and drills.

E. Test 5: Full contact and return to sport with monitoring of symptoms.

Section VI. School Nurse Responsibilities:

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

Section VII. School Responsibilities:

1. Review and, if necessary, revise, the concussion policy every 2 years.
2. Once the school is informed of the student's concussion, a contact or "point person" should be identified (e.g. the guidance counselor, athletic director, school nurse, school psychologist or teacher).
3. Point person to work with the student on organizing work assignments, making up work and giving extra time for assignments and tests/quizzes.
4. Assist teachers in following the recovery stage for student.
5. Convene meeting and develop rehabilitative plan.
6. Decrease workload if symptoms appear.
7. Recognize that the student's ability to perform complex math equations may be different from the ability to write a composition depending on the location of the concussion in the brain.

8. Educate staff on the signs and symptoms of concussions and the educational impact concussions may have on students.
9. Include concussion information in student handbooks.
10. Develop a plan to communicate and provide language-appropriate educational materials to parents with limited English proficiency.

Section VIII. Athletic Director Responsibilities:

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

Section IX. Parent/Guardian Responsibilities:

1. Complete and return concussion history form to the athletic department.
2. Inform school if student sustains a concussion outside of school hours. Complete new concussion history form following new injury.
3. If student suffers a concussion outside of school, complete head injury form and return it to the school nurse.
4. Complete a training provided by the school on concussions and return certificate of completion to the athletic department.
5. Watch for changes in your child that may indicate that your child does have a concussion or that your child's concussion may be worsening. Report to a physician:
 - A. Loss of consciousness
 - B. Headache
 - C. Dizziness
 - D. Lethargy
 - E. Difficulty concentrating
 - F. Balance problems

- G.** Answering questions slowly
 - H.** Difficulty recalling events
 - I.** Repeating questions
 - J.** Irritability
 - K.** Sadness
 - L.** Emotionality
 - M.** Nervousness
 - N.** Difficulty with sleeping
6. Encourage your child to follow concussion protocol.
 7. Enforce restrictions on rest, electronics and screen time.
 8. Reinforce recovery plan.
 9. Request a contact person from the school with whom you may communicate about your child's progress and academic needs.
 10. Observe and monitor your child for any physical or emotional changes.
 11. Request to extend make up time for work if necessary.
 12. Recognize that your child will be excluded from participation in any extracurricular athletic event if all forms are not completed and on file with the athletic department.

Section X. Student and Student Athlete Responsibilities:

1. Complete Baseline ImPact Test prior to participation in athletics.
2. Return required concussion history form prior to participation in athletics.
3. Participate in all concussion training and education and return certificate of completion to the athletic department prior to participation in athletics.
4. Report all symptoms to athletic trainer and/ or school nurse.
5. Follow recovery plan.
6. **REST.**
7. **NO ATHLETICS.**
8. **BE HONEST!**
9. Keep strict limits on screen time and electronics.
10. Don't carry books or backpacks that are too heavy.
11. Tell your teachers if you are having difficulty with your classwork.
12. See the athletic trainer and/or school nurse for pain management.
13. Return to sports only when cleared by physician and the athletic trainer.
14. Follow Gradual Return to Play Guidelines.
15. Report any symptoms to the athletic trainer and/or school nurse and parent(s)/guardian(s) if any occur after return to play.
16. Return medical clearance form to athletic trainer prior to return to play.
17. Students who do not complete and return all required trainings, testing and forms will not be allowed to participate in sports.

Section XI. Coach & Band Instructor Responsibilities:

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

Section XII. Post Concussion Syndrome:

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

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

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

Section XIII. Second Impact Syndrome:

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

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

Section XIV. Concussion Education:

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

- CDC Heads-Up Video Training, or

- Training provided by the school district

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

Section XV. Student & Parental Notification:

Annual notification of Concussion Policy will be distributed yearly to all student athletes and their parents.

Adopted: 3/12/12

SOURCE: MASC/New Bedford

STUDENT CONDUCT

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules not inconsistent with the law nor in conflict with School Committee policy. These building rules shall be an extension of the District policies by being more specific as they relate to the individual schools.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

LEGAL REF.: M.G.L. 71:37H; 71:37H $\frac{1}{2}$; 71:37H $\frac{3}{4}$; 71:37L; 76:16; 76:17
603 CMR 53.00

CORPORAL PUNISHMENT

State law provides that:

The power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student.

Established by law

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

PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603CMR 46.02.

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

Physical restraint, including prone restraint where permitted under 603 CMR 46.03, 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 themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

The Superintendent will develop procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements; including, but not limited to making reasonable efforts to orally notify a parent of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00,

- A process for obtaining principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

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

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint".

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

LEGAL REF.: M.G.L. 71:37G
 603 CMR 46.00

STUDENT WELFARE

Supervision of Students

School personnel assigned supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except when an arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons authorized in writing by a parent or guardian.

Reporting to Authorities - Suspected Child Abuse or Neglect

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch. 119, S 51A.

In accordance with the law, the District shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parents, District personnel, and the community.

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures, which the District requires, shall include:

- A periodic inspection of the school's playground and playing fields by the Principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity.

Fire Drills and Reporting

The District shall cooperate with appropriate fire departments in the conduct of fire drills. The Principal of any public or private school, containing any of grades 1 to 12, shall immediately report any incident of unauthorized ignition of any fire within the school building or on school grounds, to the local fire department. Within 24 hours, the Principal shall submit a written report of the incident to the head of the fire department on a form furnished by the Department of Fire Services. The Principal must file this report whether or not the fire department responded.

LEGAL REFS: MGL 71:37L; 148:2A

STUDENT HEALTH SERVICES AND REQUIREMENTS

Activities may include identification of student health needs, health screening tests (including eye and hearing screening tests), communicable disease prevention and control, promotion of the correction of remediable health defects, emergency care of the ill and injured, health counseling, health and safety education, and the maintenance of a healthful school environment.

The District recognizes that parents have the primary responsibility for the health of their students. The school will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety.

The District shall provide the services of a medical consultant who shall render medical and administrative consultative services for personnel responsible for school health and athletics.

Procedures for Emergency at School

School personnel shall give only emergency care to students who become ill or injured on school property, buses, or while under school supervision.

Each year parents shall supply information indicating where the student is to be taken in case of an emergency; the name, address, and phone number of a neighbor to be contacted in case the parent/guardian is not available; and any allergies or diseases the student might have.

The District shall maintain a Medical Emergency Response Plan, as required by law, and an Emergency Procedures Handbook, which shall be utilized by District personnel for handling emergencies. Emergency procedures shall include the following:

Provision for care beyond First Aid, which would enable care by the family or its physician or the local Emergency Medical Services agencies. In instances when the EMS is required, every effort shall be made to provide the unit with the student's Emergency Card which lists any allergies or diseases the student might have;

Information relative to not permitting the administration of any form of medicine or drugs to students without written approval of parents. Requests made by parents for such administration of medication shall be reviewed and approved by the Principal or designee;

Provisions for reporting all accidents, cases of injury, or illness to the Principal. Provisions

shall be made (in all cases of injury or illness involving possible legal or public relations implications) for reporting such to the appropriate executive director of education immediately;

Prompt reporting by teachers to the Principal or designee any accident or serious illness and such reports will be filed with the Business Office.

Student Illness or Injury

In case of illness or injury, the parent or guardian will be contacted and asked to call for the student or provide the transportation.

Transportation of an ill or injured student is not normally to be provided by the school. If the parent cannot provide transportation and the student is ill or injured, an ambulance may be called. Expense incurred as a result of emergency ambulance use will not be borne by the District.

Transportation of a student by school personnel will be done only in an emergency and by the individual so designated by the school administrator.

LEGAL REF.: 71:53; 54; 54A; 54B; 55; 55A; 55B; 56; 57; 69:8A

CROSS REF.: EBB, First Aid
EBC, Emergency Plans
JLCD, Administration of Medications to Students

PHYSICAL EXAMINATIONS OF STUDENTS

Every student will be examined for screening in sight, hearing, BMI*, and for other physical problems as provided in the law and regulation. A record of the results will be kept by the school nurse.

Every student will be given a general physical examination four times: upon entering school and upon admittance to the fourth, seventh, and tenth grades. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept.

Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on a squad and will, with the signed consent of parent or guardian, be thoroughly examined to determine physical fitness. The school physician will examine athletes, except when a family wishes to have the examination done by their own doctor at their own expense. A written report stating the fitness of the student to participate signed by the physician will be sent to the school Principal.

The school physician will make a prompt examination of all children referred to him/her by the school nurse. He/she will examine school employees when, in his/her opinion, the protection of the student's health may require it. Except in an emergency, the school physician will not prescribe for or treat any student.

Whenever the school nurse finds a child suffering from any disease or medical problem, the situation will be reported to the parent or guardian in writing, or by personal visit if remedial treatment is recommended. A copy of the report will be filed at the school.

The school nurse will make a monthly report to the Superintendent of the number of students examined; the number excluded; and the number recommended for treatment or special adjustment of work. In all cases of exclusion or recommendation, the causes will be included in the report.

** NOTE: Department of Health Regulations call for vision screenings in Grades 1-5, once between 6-8, and once between 9-12; hearing screenings in grades 1-3, once between 6-8, and once between 9-12; BMI in grades 1, 4, 7, 10.*

LEGAL REFS.: M.G.L. 71:53; 71:54; 71:56; 71:57

105 CMR 200

CROSS REF.: JF, School Admissions

IMMUNIZATION OF STUDENTS

Students entering school for the first time, whether at kindergarten or through transfer from another school system, will be required to present a physician's certificate attesting to immunization against communicable diseases as may be specified from time to time by the Department of Public Health. The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child, or by the student's parent or guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent.

SOURCE: MASC October 2016
LEGAL REF.: M.G.L. 76:15
CROSS REF.: JF, School Admissions

COMMUNICABLE DISEASES

The District is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby attendance could be harmful to the welfare of other students and staff, subject to the District's responsibilities to handicapped children under the law.

The School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases.

Management of common communicable diseases shall be in accordance with Massachusetts Department of Health guidelines. A student who exhibits symptoms of a communicable disease may be temporarily excluded from school attendance. The District reserves the right to require a physician's statement authorizing the student's return to school.

The educational placement of a student who is medically diagnosed as having a life-threatening communicable disease shall be determined on an individual basis in accordance with this policy and accompanying administrative procedures. Decisions about the proper educational placement shall be based on the student's behavior, neurological development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition, or based on new information or research that may warrant a change in a student's placement.

In the event a student with a life-threatening communicable disease qualifies for services as a handicapped child under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of the procedures designated above.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff, and others.

In all proceedings related to this policy, the District shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition. The determination of those who need to know shall be made by the Superintendent.

ADMINISTERING MEDICINES TO STUDENTS

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

Exceptions:

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

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

If the school district wishes medical personnel to train non-medical staff in the administration of nasal naloxone, the School Committee shall vote to approve such training and the Superintendent shall ensure that medical personnel have a written protocol that complies with medical directives and regulations from the Dept. of Public Health.

Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:

1. Students with asthma or other respiratory diseases may possess and administer prescription inhalers.
2. Students with cystic fibrosis may possess and administer prescription enzyme supplements.
3. Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems.

LEGAL REF.:

M.G.L. 71:54B

Dept. of Public Health Regulations: 105 CMR 210.00; 244 CMR 3.00

STAFF-STUDENT RELATIONS

Staff members shall be expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of staff shall be seen, not as dictators or controllers, but as resource persons, aides, and guides in the learning processes. Staff members shall provide for self-determination by each student in regard to his or her learning program, consistent with district and local goals and with optimum opportunities for all students. Students shall be treated with courtesy and consideration. Neither insults nor sarcasm shall be used as a way of forcing compliance with a staff member's requirements or expectations.

Each student is urged to regard staff members as people with specific knowledge and capabilities which can be well utilized to advance the student's own knowledge and development.

Students shall be expected to regard staff members as individuals, employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall be required to respect the rights of staff members (and other students, as well) and interference with those rights shall not be condoned. No student shall have the right to interfere with the efforts of instructional staff to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students.

Adopted 7/12/76

STUDENT FEES, FINES, AND CHARGES

The School Committee recognizes the need for student fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees. No student will be denied access into any program because of inability to pay these supplementary charges.

A school may exact a fee or charge only upon Board approval. The schools, however, may:

Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.

Charge for lost and damaged books, materials, supplies, and equipment.

Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student. The notice will advise students that fees are to be paid and of the penalties for their failure to pay them. Permissible penalties include the withholding of report cards until payment is made or denial of participation in extra class activities while the student is enrolled in this District.

Any fee or charge due to any school in the District and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the District and not to a particular school.

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the school system to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian and/or the student in accordance with law, and yet be guarded as confidential information.

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations. The temporary record of each student will be destroyed no later than seven years after the student transfers, graduates or withdraws from the School District. Written notice to the eligible student and his/her parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

The Committee wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers.

SOURCE: MASC February 2019

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,
P.L. 93-380, Amended
P.L. 103-382, 1994
M.G.L. 66:10 71:34A, B, D, E, H
Board of Education Student Record Regulations adopted 2/10/77, June 1995 as amended June 2002.
603 CMR: Dept. of Elementary and Secondary Education 23.00 through 23:12 also
Mass Dept. of Elementary and Secondary Education publication Student Records: Questions, Answers and Guidelines, Sept. 1995

SOURCE: MASC

CROSS REF: KDB, Public's Right to Know

Revised: July 2020

STUDENT RECORDS

603 CMR 23.00 is promulgated by the Board of Education pursuant to its powers under M.G.L.c.71, s.34D which directs that "the board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the Commonwealth," and under M.G.L.c.71, s.34F which directs that "the board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of school committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times." 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June 1995. 603 CMR is in conformity with federal and state statutes regarding maintenance of and access to student records, and is to be construed harmoniously with such statutes.

Application of Rights

603 CMR 23.00 is promulgated to insure parents' and students' rights of confidentiality, inspection, amendment, and destruction of students' records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

- (1) These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student's parent.
- (2) If a student is from 14 through 17 years or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.
- (3) If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school Principal or Superintendent of Schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c.71, s.34E, the parent of a student may inspect the student record regardless of the student's age.
- (4) Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access: shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel: shall consist of three groups:

(1) School administrators, teachers, counselors and other professionals who are employed by the School Committee or who are providing services to the student under an agreement between the School Committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling and/or diagnostic capacity. Any such personnel who are not employed directly by the School Committee shall have access only to the student record information that is required for them to perform their duties.

(2) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the School Committee or are employed under a School Committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.

(3) The evaluation team which evaluates a student.

Eligible student: shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the School Committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

Evaluation Team: shall mean the team, which evaluates school-age children pursuant to M.G.L.c.71B (St. 1972, c.766) and 603 CMR 28.00.

Parent: shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the child in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non custodial parent for purposes of M.G.L. c. 71, s.34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release: shall mean the oral or written disclosure, in whole or in part, of information in a

student record.

School-age child with special needs: shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c.766) and 603 CMR 28.00.

School committee: shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c.71B (Chapter 766) approved private school.

Student: shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603 CMR 23.00 shall not include a person about whom a school committee maintains information relative only to the person's employment by the School Committee.

The student record: shall consist of the transcript and the temporary record, including all information, recording and computer tapes, microfilm, microfiche, or any other materials, regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The terms as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record: shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party: shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

Log of Access. A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log

requirement shall not apply to:

- (a) authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;
- (b) administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and
- (c) school nurses who inspect the student health record.

Access of Eligible Students and Parents. The eligible student or the parent, subject to the provisions of 603 CMR 23.07 (5), shall have access to the student record. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07 (5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available.

- (a) Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records.
- (b) Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of his/her transcript.
- (c) The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.
- (d) The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the eligible student or parent, prior to gaining access to the student record.

Access of Authorized School Personnel. Subject to 603 CMR 23.00, authorized school personnel shall have access to the student records of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the eligible student or parent shall not be necessary.

Access of Third Parties. Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When

granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

(a) A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(b) Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.

(c) A school may release information regarding a student upon receipt of a request from the Department of Social Services, a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively.

(d) Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit, evaluation or enforcement of federal and state education laws, or programs; provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parents; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.

(e) A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This

includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c. 71, section 37L and M.G.L. c. 119, section 51A.

(f) Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of the such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c. 22A, section 9.

(g) Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent, provided that the school the student is leaving, or has left, gives notice that it forwards student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(h) School health personnel and local and state health department personnel shall have access to student health records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent.

Access Procedures for Non-Custodial Parents. As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

(a) A non-custodial parent is eligible to obtain access to the student record unless:

1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. the parent has been denied visitation, or
3. the parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
4. there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

(b) The school shall place in the student's record documents indicating that a non-

custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).

(c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.

(d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).

(e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.

(f) Upon receipt of a court order that prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

(a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.

(b) The general provisions of 603 CMR 23.00 regarding parent and student rights, and that copies of 603 CMR 23.00 are available to them from the school.

In those school systems required under M.G.L. c. 71A to conduct a bilingual program, all forms, regulations, or other documents regarding 603 CMR 23.00 that a parent receives or is required to receive shall be in the language spoken in the home of the student, provided that it is a language for which the school system is required to provide a bilingual program.

SOURCE: MASC

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,

P.L. 93-380, Amended

P.L. 103-382, 1994

M.G.L. 66:10 71:34A, B, D, E, H

Board of Education Student Record Regulations adopted 2/10/75, as amended
June 2002

603 CMR: Dept. of Elementary and Secondary Education 23.00 through 23:12

Mass Dept. of Elementary and Secondary Education publication Student Records;
Questions, Answers and Guidelines, Sept. 1995

CROSS REF:

KDB, Public's Right to Know

STUDENT PHOTOGRAPHS

Individual schools may arrange, in cooperation with the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or class group pictures.

Individual and/or class group pictures may be taken at the school facility and during the regular school day hours. The pictures shall be made available for purchase by students and/or parents/guardians on a voluntary basis. The building Principal or their designee shall have final authority in authorizing the picture-taking program and will be responsible for overseeing the process.

Students may be required to have an individual picture taken for the cumulative file or identification purposes; however, no student shall be pressured or required to purchase photographs.

The purpose of the policy is to:

- Enhance the safety of students through visual identification in an emergency situation.
- Facilitate the social, educational, and administrative activities conducted in the school.
- Provide a service to parents and students.
- Allow the profits gained from the picture-taking program to be used by the sponsoring group and authorized by the building Principal.

LEGAL REF.: M.G.L. 30b:1(B)(31)

SOURCE: MASC February 2019

Revised: July 2020

**SECTION K
COMMUNITY RELATIONS**

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SCHOOL/COMMUNITY RELATIONS GOALS

The School Committee believes that the District is an integral part of the community and that community support is necessary for the District's operation and achievement of excellence. The School Committee and District staff members recognize that community support is based on a mutual exchange, a dynamic process in which the District contributes to the community's success and, in turn, benefits from the community's resources.

In order to maintain productive relationships with the community, the District is committed to sustaining:

Effective, accurate, and meaningful communications that facilitate dialogue, encourage involvement in District programs, and create community advocacy for its public schools.

Volunteer programs that provide mutually enriching experiences for our students, staff, and community volunteers.

Recognition programs that publicly honor the contributions of our students, employees, and community partners and express pride in our individual and collective accomplishments.

Community service efforts which enable the District's staff and students to express their commitment to the community.

SCHOOL/PARENT RELATIONS GOALS

It is the general goal of the District to foster relationships with parents, which encourage cooperation between the home and school in establishing and achieving common educational goals for students.

While parents are individually responsible for their children, the District provides direct services of education and indirect services of childcare for students during the time when they are within the supervision of school personnel. Consistent with these shared responsibilities and as appropriate to the maturity of the student, members of the school staff will consult with parents regarding student progress and achievement, methods to enhance student development, and matters of correction.

Additionally, parental involvement in the schools is encouraged through regular communication with the school Principal and staff, the parent/teacher organizations, the school volunteer program, and other opportunities for participation in school activities and District programs.

TRANSLATION AND INTERPRETATION

New Bedford Public Schools is committed to providing families the information they require to understand their children's schooling in a language and/or form the family best understands—including in two languages for those families in which one home speaks one language and the other home speaks another language. Families will receive all general information provided by the district in English and their home language. For meetings, families will be provided an oral interpretation in a language they understand. For written communication, families will be provided a written translation in their home language. Families will never be asked to sign a document in a language they do not understand. For those families who do not possess literacy skills or a written home language, information will be communicated orally, in full, prior to their signing any document.

Under state and federal law, New Bedford Public Schools will make every effort to provide students and families with access to important documents relevant to their children's education (Title VI of the Federal Civil Rights Act; EEOA: 20 U.S.C. 1703 (f); M.G.L. c.76, s. 5; and 603 CMR 26.02 (2)).

NON-CUSTODIAL PARENTS' RIGHTS

As required by Massachusetts General Law, a non-custodial parent may have access to the student record in accordance with law and Dept. of Elementary and Secondary Education Regulations. The school district will follow the law and the regulations developed by the Massachusetts Dept. of Elementary and Secondary Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non-custodial parents").

As required by law, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless the school or district has been given documentation that:
 - 1. The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
 - 2. The parent has been denied visitation, or
 - 3. The parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
 - 4. There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.
- (b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to regulation.
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.
- (d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in regulation.

- (e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to law, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

LEGAL REF.: M.G.L. 71:34D; 71:34H
603 CMR 23.07 (5) Access Procedures for Non-Custodial Parents
20 U.S.C. §1232g Family Education Rights and Privacy Act (FERPA)

RELATIONS WITH PARENT/BOOSTER ORGANIZATIONS

To foster relationships with parents that encourage the home and school to work together to establish and achieve common educational goals for students, the Superintendent and the professional staff will:

1. Consult with and encourage parents to share in school planning and in setting objectives and evaluating programs.
2. Help parents understand the educational process and their role in promoting it.
3. Provide for parent understanding of school operations.
4. Provide opportunities for parents to be informed of their child's development and the criteria for its measurement.

To accomplish the above and to enhance communications between parents and school officials, the Committee encourages the maintenance of formal parent organizations, including booster organizations, at each school building. For this purpose the Committee will officially recognize a parent organizations. These procedures will be observed:

1. Organizations will be officially recognized upon request by the building Principal who will file a copy of the organizational papers with the Superintendent.
2. A vote, open to all parents of children enrolled, will designate the organization to be recognized if more than one organization with the same purpose makes the request.
3. All parent organizations shall obtain 501C3 status and file appropriate paperwork with state authorities and make proof of such status available to school district administration.
4. All parent organizations need to recognize that spending on student activities must comply with federal law relating to equity among student genders.

LEGAL REFS: Title IX, Education Amendments of 1972

CROSS REFS: ACA – Nondiscrimination on the Basis of Sex

COMMUNITY INVOLVEMENT IN DECISION-MAKING

The School Committee endorses the concept that community participation in the affairs of the schools is essential if the school system and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. It therefore intends to exert every effort to identify the desires of the community and to be responsive, through its actions, to those desires.

All citizens will be encouraged to express ideas, concerns, and/or questions about the schools to the school administration, to any appointed advisory bodies, and to the Committee.

Residents who are specially qualified because of interest, training, experience, or personal characteristics, will be encouraged to assume an active role in school affairs. From time to time, these people may be invited by the Committee to act as advisors, either individually or in groups.

The Committee and the staff will give substantial weight to the advice they receive from individuals and community groups interested in the schools, particularly from those individuals and groups they have invited to advise them regarding specific problems, but will use their best judgment in arriving at decisions.

CROSS REF.: BDF, Advisory Committees to the School Committee

PUBLIC GIFTS TO THE SCHOOLS

In accordance with state law, all grants and gifts to the District shall be reviewed and accepted by the School Committee before expenditure or use. In the case of gifts from industry, business, or special interest groups, no extensive advertising or promotion may be involved in any donation to the schools.

Gifts will automatically become the property of the school system. Any gift of cash, regardless of donor intent, , will be accepted by vote of the School Committee, kept separate from the general fund and expended at the discretion of the Committee, as provided by law.

The Committee directs the Superintendent to assure that an appropriate expression of thanks is given all donors.

Source: MASC 2021
LEGAL REF.: M.G.L. 44:53A, 71:37A

CROSS REF: DD, Grants, Proposals, and Special Projects
GBEBD, Online Fundraising and Solicitation--Crowdfunding

Revised January 2023

PUBLIC'S RIGHT TO KNOW

The School Committee is a public servant, and its meetings and records will be a matter of public information except as such meetings and records pertain to individual personnel and other classified matters.

The School Committee supports the right of the people to know about the programs and services of their schools and will make every effort to disseminate information. All requests for information will be acted on fairly, completely and expeditiously.

All commonly available public record documents of the School District shall be posted on the district's website. The length of time such records shall remain posted on the district website shall be in accordance with the Municipal Record Retention Manual. In addition, the official minutes of the Committee, its written policies and regulations, and its financial records will be open for inspection at the office of the Superintendent by any citizen desiring to examine them during hours when the office is open. No records pertaining to individual students or staff members will be released for inspection by the public or any unauthorized persons by the Superintendent or other persons responsible for the custody of confidential files. The exception to this will be information about an individual employee (or student) that has been authorized in writing for release by the employee (or student, or student's parent).

Each building administrator is authorized to use all means available to keep parents and others in the particular school's community informed about the school's program and activities.

LEGAL REFS.: M.G.L. 4:7; 66:10; 30A:18-25

CROSS REFS.: BEDG, Minutes
GBJ, Personnel Records
JRA, Student Records

NEWS MEDIA RELATIONS/NEWS RELEASES

Every effort will be made to assist the press and other communications media to obtain complete and adequate coverage of the challenges, programs, planning, and activities of the school system.

All representatives of the media will be given equal access to information about the schools. General releases of interest to the entire community will be made available to all the media simultaneously. There will be no exclusive releases except as media representatives request information on particular programs, plans or problems.

In order that school system publicity is given wide coverage and is coordinated into a common effort and purpose, the following procedures will be followed in giving official information to the news media:

1. The School Committee Chair will be the official spokesman for the Committee, except as this duty is delegated to the Superintendent.
2. News releases that are of a system-wide or a sensitive nature or pertain to established Committee policy are the responsibility of the Superintendent.
3. News releases that are of concern to only one school, or to an organization of one school, are the responsibility of the Principal of that particular school. All statements made to the press by other staff members of the particular school must be cleared with the Principal.

While it is impossible to know how news releases will be treated by the press, every possible effort should be made to obtain coverage of school activities that will create and maintain a dignified and professionally responsible image for the school system.

PUBLIC COMPLAINTS

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

The Committee believes that complaints are best handled and resolved as close to their origin as possible, and that the professional staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the Committee. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Teacher
2. School building administrator
3. Superintendent
4. School Committee

If a complaint, which was presented to the Committee and referred back through the proper channels, is adjusted before it comes back to the School Committee, a report of the disposition of the matter will be made to the Committee and then placed in the official files.

Complaints about school personnel will be investigated fully and fairly. However, before any such complaint is investigated, the complainant must submit his complaint in writing. Anonymous complaints will be disregarded.

Matters referred to the Superintendent and/or School Committee must be in writing and should be specific in terms of the action desired.

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

LEGAL REFS.: M.G.L. 76:5
603 CMR 26.00

COMMUNITY USE OF SCHOOL FACILITIES

It is the School Committee's desire that maximum use of school property be enjoyed by the townspeople. It is the Committee's intent that such use will maintain safe conditions and preserve the property for school program use.

Use of school buildings and other facilities by organizations will be permitted only when a worthy educational, civic, or charitable purpose will be served; or a substantial group of citizens from the community will be benefited.

School facilities will be used according to the regulations and rental fee schedules recommended by the Superintendent and approved by the School Committee.

Permission for the use of facilities must be obtained through the office of the Superintendent of Schools, where applications are available for this purpose.

Eligibility

School facilities will be available for the following:

1. Public school activities
2. Parent-teacher activities
3. Official town public hearings and political activities
4. Meetings and activities sponsored by the School Committee and school personnel
5. Parks and playgrounds activities
6. Local nonprofit and noncommercial organization activities
7. Metropolitan civic, educational, social, and religious organization activities if a substantial portion of the members are residents of the town
8. The activities of other organizations when approved by the School Committee

School and City Preference

The priority given requests for use of school facilities will be as follows:

1. School activities
2. Town meetings and elections over other community activities
3. Parks and playgrounds

LEGAL REFS.: M.G.L. 71:71; 71:71B; 272:40A

COMMUNITY USE OF SCHOOL FACILITIES

The use of school buildings, grounds, equipment, and facilities will be authorized by the Superintendent in conformity with the following regulations, which have been approved by the School Committee.

1. Requests for the use of school facilities will be made at the office of the Superintendent at least 14 days prior to the date of use.
2. School facilities may not be used for individual, private, or commercial purposes.
3. Requests for school facilities must be cleared with the building Principal or the Superintendent or both, should the nature of the request so justify.
4. School-related groups will be permitted reasonable use of school facilities without charge.
5. All activities must be under competent adult supervision approved by the Superintendent and the Principal of the building involved. In all cases, an assigned school employee will be present. The group using the facilities will be responsible for any damage to the building or equipment.
6. Groups receiving permission are restricted to the dates and hours approved and to the building area and facilities specified, unless requested changes are approved by the Superintendent.
7. Groups receiving permission are responsible at all times for the observance of fire and safety requirements.
8. Smoking within the building is not permitted. Permission for the possession and sale of alcoholic beverages may be granted to a nonprofit organization, which is properly licensed, only by the School Committee.
9. Proper liability insurance will be required of all groups given permission to use school facilities.
10. The Committee will approve and periodically review a fee schedule for the use of school facilities.

11. In situations where there is no cost factor to the school system, or in situations where a mutual exchange of facilities is possible between the school system and the organization, rates may be modified or eliminated by the Superintendent. In situations where extended usage for a long period of time is required, rates may be set at a contract price.
12. The School Committee reserves the right to cancel any permission granted.

PUBLIC SOLICITATIONS IN THE SCHOOLS

The School Committee will place limits on commercial activities and fund-raising activities in the schools for the following reasons:

1. The school system should provide students, parents, and employees some measure of protection from exploitation by commercial and charitable fund-raising organizations.
2. The school system should not give the public the impression of generally endorsing or sanctioning commercial and fund-raising activities.
3. Commercial and fund-raising activities may disrupt school routine and cause loss of instructional time.

Following these guiding statements, the Superintendent and Principals may permit occasional commercial or fund-raising activities related to the objectives of the schools with the following exceptions:

1. No direct solicitation of students or employees may take place without School Committee permission.
2. No general or class distribution of commercial or fund-raising literature may take place without School Committee permission.

For the purposes of this policy, local PTA and PTO groups and groups representing school system employees will be considered "school groups" and will be governed by the Committee's policy on staff solicitations.

LEGAL REF.: M.G.L. 44:53A

CROSS REFS.: GBEC, Staff Gifts and Solicitations
JJE, Student Fund-Raising Activities
JP, Student Gifts and Solicitations
KHB, Advertising in the Schools

ADVERTISING IN THE SCHOOLS

The School Committee or designee may grant permission for advertising of commercial products or services in school buildings or on school property under guidelines or regulations it may approve. Otherwise, no advertising of commercial products or services will be permitted in school buildings or on school property. Publications of the school system will not contain any advertising. However, this will not prevent advertising in student publications that are published by student organizations, subject to administration controls, or the use of commercially-sponsored, free teaching aids if the content is approved by the administration.

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

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

VISITORS TO THE SCHOOLS

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

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

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

1. Parental requests for classroom visitations will be welcomed as long as the educational process is not disrupted. To this end we request that such requests be made at least forty-eight hours in advance to allow for proper arrangements to be made.
2. The building Principal has the authority to determine the number, times, and dates of observations by visitors. This will be done in consultation with staff members so as to give adequate notice to the staff members of the impending visits.
3. For security purposes it is requested that all visitors report to the Principal's office upon entering and leaving the building and sign a guest log showing arrival and departure times. Teachers are encouraged to ask visitors if they have registered in the Principal's office.
4. Under ordinary circumstances classroom observations will be strongly discouraged during the first three weeks of school in September and during the month of June.
5. Any student who wishes to have a guest in school MUST ask permission of one of the administrative staff 24 HOURS in advance of the proposed visit. If permission is granted, the guest is expected to follow the standards of behavior expected of all students. Upon arrival the guest must register in the office. Any guest who fails to comply with student regulations will be asked to leave the school building and grounds immediately.

CROSS REF.: IHBA, Observations of Special Education Programs

RELATIONS WITH POLICE AUTHORITIES

Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment in the District schools, and for safeguarding all school property.

Relationships between the schools and officials of law enforcement agencies in investigative matters concerning pupils will take into consideration the respective roles of the schools and law enforcement agencies in assisting and protecting the interests of the community, and ensuring the rights of all concerned.

The School Committee also recognizes the potential enrichment that law enforcement agencies can make in the educational program.

Efforts should be made to develop and maintain a healthy attitude toward law enforcement agencies and personnel to promote better understanding and communication.

RELATIONS WITH PLANNING AUTHORITIES

The School Committee will participate in local and state planning functions that could directly affect District schools and their immediate environment.

The Superintendent or designee will keep the School Committee informed of planning matters bearing directly on the operation of District schools or school-sponsored programs, and will undertake action on behalf of the School Committee to influence matters in the best interests of the students, the schools and the District.

RELATIONS WITH LOCAL GOVERNMENTAL AUTHORITIES

The School Committee and its administrative officers welcome all who seek to serve the residents of the community and will participate with them in the planning and execution of such projects as will be mutually beneficial for students.

It is School Committee policy that administration inform elected and appointed officials of the local and county government of the desire to work cooperatively for improved services.

SECTION L

EDUCATION AGENCY RELATIONS

- LA EDUCATION AGENCY RELATIONS GOALS**
- LB RELATIONS WITH OTHER SCHOOLS AND SCHOOL DISTRICTS**
- LBC RELATIONS WITH NONPUBLIC SCHOOLS**
- LDA STUDENT TEACHING AND INTERNSHIPS**

EDUCATION AGENCY RELATIONS GOALS

The School Committee appreciates the place and importance of an educational system in its greater environment, which includes other organizations and institutions dedicated to education. It believes that much is gained through cooperative endeavors with other agencies.

In order to make a maximum contribution to education, within the school system and to other educational agencies, the Committee establishes these broad goals:

1. To encourage liaison with other educational agencies.
2. To supply educational services to and/or share with other educational agencies.

RELATIONS WITH OTHER SCHOOLS AND SCHOOL DISTRICTS

The School Committee will cooperate with other schools and with local, state, and regional agencies and organizations to:

1. Seek solutions of educational problems of common concern.
2. Offer support services of high quality to our children.
3. Equalize educational opportunities for all children.
4. Acquire federal and state grants.
5. Promote local school system involvement in state and federal decision-making.

This cooperation may extend to research, providing transportation for children to special schools and hospitals, coordination of curriculum, exchange of information and data, construction of facilities that may be efficiently used on a cooperative basis, and the coordination of school calendars and activities.

Before joining any cooperative programs, education collaborative, or participating in any joint educational services with other school systems, the School Committee wants to be sure that in all instances the best interests of our school children will be served. In carrying out this policy the Superintendent will include in reports to the Committee an evaluation of the desirability and feasibility of cooperation with other schools and agencies on matters of mutual interest.

LEGAL REFS.: M.G.L. 40:4E; 71:48; 71:71D; 71B:4; 74:4 through 74:7A; 76:1

RELATIONS WITH NONPUBLIC SCHOOLS

Private Schools

In accordance with state law, the School Committee will approve a private school when it is satisfied that the instructional program of the school equals that of the city's public schools in thoroughness, efficiency, and progress made.

The Committee recognizes that many worthwhile contributions are made to this community by parochial and other private schools. Therefore, it will cooperate with these schools in matters of mutual benefit when law does not expressly prohibit this cooperation.

LEGAL REFS.: M.G.L. 40:4E; 71:48 and 71D; 71B:4; 74:4-7A; 76:1

STUDENT TEACHING AND INTERNSHIPS

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

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

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

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

POLICY MANUAL REVIEW

New Bedford School Committee Policy Manual Review

The New Bedford School Committee, through its Policy Sub Committee, voted to approve the final sections of the new policy manual on February 13, 2017. It is also established that the Committee shall review each section and each policy of the New Bedford Public School Policy Manual on a biannual basis in perpetuity.

The Policy Manual is an expression of the values and preferences of the Committee and thus the community as well. The Policy Manual must be regularly updated and improved upon to fully reflect those values and additionally to comply with all local, state and federal laws governing public education.

Now that the policies, many of which had not been updated in decades, have been fully reviewed, new policies put into practice, and methods for regular updates identified, it is incumbent upon the School Committee and future Policy Sub Committee chairs to keep and maintain this vital document.

In addition to the Sub Committee members and district leaders, the School Committee would like to recognize Lisa Dunaway, Sr. Executive Assistant to the Superintendent and School Committee and Policy Manual Liaison along with James Hardy of the Massachusetts Association of School Committees for their work in ensuring its completion.

The New Bedford School Committee Policy Manual is hereby presented to the School Committee in its entirety on August 14, 2017 having been reviewed and updated by the following School Committee members and school district administrators:

Policy Sub Committee Members

Joshua Amaral, Chairperson
Christopher A. Cotter
Bruce J. Oliveira
Marlene Pollock (former member)

Administration

Pia Durkin, PhD, Superintendent (former)
Jason DeFalco, EdD, Deputy Superintendent (former)
Kimberli Bettencourt, Ex. Director of Special Education and Student Services
Jonathan Carvalho, Community and Public Affairs Manager (former)
Bernadette Coelho, Headmaster, New Bedford High School
Heather Emsley, Ex. Director of Human Capital Services
Andrew O'Leary, Assistant Superintendent for Finance & Operations
Barry Rabinovitch, PhD, Business Manager (former)
Robert Tetreault, Information Technology Manager
Sonia Walmsley, Ex. Director of Student Access and Pathways