

Berkley Public Schools

BASIS FOR NON-INSTRUCTIONAL POLICY RELATED TO STUDENTS

Policy #6000

- 6000.1 Policies related directly to instruction are included in the 5000 series (INSTRUCTION). Sections in that series deal with topic areas such as philosophy and purposes of instruction, organization for instruction, programs of study, supporting resources, guidance program and services, assessment of student progress, and student activity programs.
- 6000.2 The 6000 series is set up to include those policies related to students which do not bear indirectly on the classroom instructional setting.
- 6000.3 Sectional topics of this series are: attendance (6100), emergency drills and situations (6200), health and safety (6300), rights and protection (6400), special problem areas (6700), services to students (6800), and relationship of school to other child and youth serving agencies (6900).

Adopted: May 8, 1973
Amended: Jan. 12, 2004
Reviewed: Nov. 1, 2007
Reviewed: March 4, 2014

Berkley Public Schools

STUDENT RECORDS POLICY

Policy #6001

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 enrolled on or after June 2002 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.

Approved: Dec. 9, 2002

Reviewed: Nov. 1, 2007

Reviewed: March 4, 2014

Berkley Public Schools

ACCEPTABLE USE OF TECHNOLOGY/DIGITAL RESOURCES (REPLACES ACCEPTABLE USE OF TECHNOLOGY POLICY #6005)

Policy #6005

OVERVIEW

The School Committee supports the rights 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. 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.

Internet service is provided to teachers, staff and students to promote educational excellence in the Berkley Public Schools (BPS) by facilitating resource sharing, innovation and communication. Technology refers to any device that creates, transmits, or accesses digital information, whether connected to the network or used in a stand-alone situation. Digital information or digital media is any data that is created, transmitted, or accessed by digital technology. Student online activities will be teacher directed and monitored in compliance with the Children's Internet Protection Act (CIPA) July 2001 and Children's Online Privacy Protection Act (COPPA). Student use of the network is restricted to educational purposes only. Personal electronic devices are subject to the same restrictions.

Internet access is coordinated through a complex association of government agencies and regional networks. The operation of the Internet relies heavily on the proper conduct of the users, who must adhere to strict guidelines. Internet access is a privilege, not a right. The district will provide each user with a copy of this Acceptable Use of Technology/Digital Resources Policy. The district will provide training to users in the proper use of the system/network. Any user violating these provisions, applicable state and federal laws, or posted classroom and district policies, is subject to loss of access privileges and any other district disciplinary options. Some violations may constitute a criminal offense and may result in legal action.

ACCEPTABLE USE FOR STUDENTS AND STAFF

Access to the Internet/Digital Resources will be granted to students and staff upon receipt of a signed access agreement/permission form in both the student handbook and staff handbook. Use of the Internet, digital devices, software and networks must be in support of education and research consistent with district policy.

Users will:

- keep personal information private, not place copyrighted software or data on the district system/network without permission from the holder of the copyright and system administrator,
- give acknowledgement to others for their ideas and work,
- report inappropriate use of technology immediately to system administrator,
- keep passwords protected by the user and not shared or displayed,
- be responsible for the proper use of accounts issued in their name,
- not use the system/network for illegal purposes, in support of illegal activities, or for any activity prohibited by district policy,
- not use inappropriate language; i.e. swearing, vulgarity, ethnic or racial slurs, or other inflammatory language,
- notify a system administrator immediately of any security problem,
- not use another individual's account or attempt to log on as another user,
- be denied access if user is identified as a security risk or has a history of problems with other computer systems,
- notify the district system administrator of outside e-mail account information,
- be occasionally required to update registration, password and account information in order to continue Internet access.

Distribution of material protected by trade secret or copyright is prohibited. System users may redistribute copyrighted material ONLY with the written permission of the copyright holder or designee. Such permission must be specified in the document or in accordance with applicable copyright laws, district policy and administrative procedures.

Principal/designee shall be responsible to:

- disseminate and enforce policies and procedures in the building(s) under their control,
- establish appropriate retention and backup schedules,
- establish disk/server usage limitations, if needed,
- purge system electronic information according to district retention guidelines.

Principal/designee has the right to monitor or examine all system activities, including electronic mail transmissions, as deemed appropriate to ensure proper use of electronic resources. Administrators will make the final determination as to what constitutes unacceptable use and their decision is final. A user who violates district policy or administrative procedures will be subject to suspension or termination of system/network privileges and will be subject to appropriate disciplinary action and/or prosecution.

SAFETY

Berkley School District utilizes a filtering device to promote safe Internet access to materials in compliance with CIPA, July 2001 and COPPA. Berkley School District prohibits access, transmitting, viewing and use of:

- obscene materials as defined by Berkley School District,
- pornography,
- materials/subjects harmful to minors,
- materials that are deemed inappropriate for minors as defined by BPS, ,
- names, addresses, personal information about self, students or staff ,
- pictures, names, etc. for class projects without proper written approval,
- threatening materials,
- commercial activities, product advertisement or political lobbying,
- account of another user.

ELECTRONIC MAIL

- BPS teachers, staff and students will have access and use of the Internet through a school account.
- Teachers and staff may use the school account for electronic mail (e-mail) or may use an e-mail provider of their choice. E-mail accounts by other providers are included in the acceptable use provisions outlined in this document.
- Accounts will be terminated and future access may be denied if the district user violates any of the acceptable use provisions outlined in this document.
- All e-mail created or received by an employee of a governmental unit is a public record and is subject to the requirements of the Public Records Law, G.L. c. 66. Any member of the public may request copies of e-mail. Even deleted messages are subject to disclosure; they are required to be backed up in archives. According to Massachusetts General Laws, "public records" shall mean all...documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any agency...to serve a public purpose (G.L. c. 4, § 7, cl. 26). Principal/designee monitors the network to ensure proper network operations and may request detailed reports indicating e-mail and Internet usage.
- Students are not allowed to access non-school e-mail accounts, including chat and instant messaging. In the event that students are given e-mail accounts through the Berkley Public Schools, all e-mail rules stated in this policy apply.

VANDALISM / HARASSMENT / FRAUD / CYBERBULLYING

Vandalism, harassment, cyber bullying and/or fraud will result in the cancellation of the offending user's privileges and/or account. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the

Internet or other networks. This includes, but is not limited to, creating and/or uploading computer viruses. Harassment is defined as the persistent annoyance of another user or the interference in another user's work. This includes, but is not limited to, the sending of unwanted mail. Cyber bullying is generally defined as bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to email, instant messages, text messages, and Internet postings. This includes but is not limited to engaging in personal attacks, including prejudicial or discriminatory attacks. Fraud is defined as deceit used to gain unfair or dishonest advantage. This includes, but is not limited to forgery or pretending to be someone else.

The following are prohibited:

- pretending to be someone else when sending/receiving message.
- attempting to harm or destroy equipment, materials, data or programs. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of district policy and/or as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creation of computer viruses, installing unauthorized software or downloading unauthorized software from a remote location.
- vandalism, such as changing in any way the configuration of a computer or network without permission, will result in the cancellation of system privileges and will require restitution for costs associated with hardware, software and system restoration.
- forgery or attempted forgery, which includes disseminating passwords, or codes to unauthorized persons or trespassing in other's folders, work or files or using another's password.
- attempting to go beyond authorized access, making deliberate attempts to disrupt system performance or destroy data (by spreading computer viruses or by any other means), or engaging in other illegal activities. This would include attempts to read, delete, copy or modify the electronic mail of other users or to interfere with the ability of other users to send/receive electronic mail.
- attempting or to knowingly or recklessly post false or defamatory information about a person or organization or post information that could cause damage or disruption.

The user of the district's Internet connection and network becomes an extension of the Berkley Public Schools and is expected to abide by the rules set forth herein and in the Student and Staff Handbooks where applicable. The user will not use technology for any purpose that is inconsistent with the educational purpose intended, such as, but not limited to:

- using the network to access or send material that is disrespectful, inflammatory, threatening, profane, rude, vulgar, lewd or obscene (e.g., pornography), that may or may not advocate illegal acts, or advocates violence or discrimination towards other people (e.g., hate literature),
- damaging or vandalizing computers, computer systems or networks,
- using of e-mail on campus without instructional staff permission / supervision.

DISTRICT DEFINITION OF CYBERBULLYING

Disclaimer – the following definition is not encompassing; see also M. G. L. c. 71, §370 for the legal definition. Cyber bullying, which is the repeated use by one or more students of an electronic expression (including the 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, creation of web pages or blogs in which the creator assumes the identity of another person, the knowing impersonation of another person as the author of posted content or messages, or the distribution of communications to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons), alone or in combination with any written or verbal expressions or physical acts or gestures, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv)

infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of the school.

Bullying (including cyber bullying) in the school building, on school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students and disciplinary action up to and including suspension and termination for employees. Refer to District Anti-Bullying Policy #6650.

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the district's system/network.

All terms and conditions as stated in this document are applicable to all users of the network. These provisions reflect an agreement of the parties and shall be governed and interpreted in accordance with the laws of the State of Massachusetts and the United States of America.

INTERNET PUBLICATION/WEB PAGE

Berkley Public Schools has established a district-wide web page that links users to web pages for the district's individual schools. The 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.

The Superintendent/designee may select the person or persons ("Webmaster") responsible for overseeing the school district's web pages and maintaining the web pages in a manner consistent with this policy. Staff members may publish web pages related to their class projects or courses on their school's web site. Staff members may not publish or link to personal web pages as part of the school district web site. Student or staff work that is published will be accompanied by a copyright notice that prohibits copying the work without the written consent of the copyright holder.

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.

Identifying information about students (i.e. names, phone numbers or home addresses) will not be published. Student photographs and student work may be published, only with the written consent of the student's parent or guardian and will not be accompanied by identifying information about the student. Photographs of students will be taken only on school-owned devices; staff will not take photographs of students on personally-owned devices.

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.

Revised: July, 1999

Revised: October, 1999

Approved: November 15, 1999

Approved: November 19, 2001

Reviewed: November 1, 2007

Amended: January 9, 2012

Amended: April 9, 2012

Reviewed: March 4, 2014

Amended: Dec. 14, 2015

SOCIAL NETWORKING POLICY

Policy #6010

1. Internet Acceptable Use Policy (AUP) still in force

This policy is adopted in addition to, and not as a substitute for, the School District's Internet Acceptable Use Policy #6005, which governs use of the school district's technological resources.

2. General Concerns

Berkley Public Schools recognizes the proliferation and, in some instances, usefulness, of online conversation between teachers and students and/or their parents or guardians. However, due to the nature of social networking sites, there exists a risk, without care and planning, that the lines between one's professional life and personal life will be blurred. Our staff should always be mindful of how they present themselves to the world, online and otherwise. Should an educator "friend" a student on Facebook, subscribe to a student's "twitter" account, regularly engage in email "chat" with a student, exchange text messages with students or engage in other electronic communication, the school district is concerned, and the educator should be concerned, that such activities may undermine the educator's authority to maintain discipline, encourage inappropriate behaviors and compromise the educator's ability to remain truly objective with his or her students.

In addition, any online communication using one's own personal resources, as opposed to school district resources, compromises the teacher's, as well as the school district's, ability to retain public records in accordance with the requirements of the Commonwealth's public records laws. The law requires public employees who send, receive or maintain records in their capacity as public employees, to retain, disclose and dispose of such records in compliance with strict provisions of the public records law. This law applies whether or not the record is in the form of a paper document or an electronic communication. When staff members communicate through school-based resources, such as staff email or school sponsored web pages, such records are retained and archived through the school's information technology department. If, however, a teacher communicates outside of these resources, such information is not retained. The burden falls on the teacher to comply with public records laws when using personal email or social network accounts to communicate with students and/or parents and guardians.

3. Expectations of Staff

With these concerns in mind, the Berkley Public Schools has instituted this "Social Networking Policy," and announces its expectations for staff members' use of social networks such as Facebook, Linked-in, Twitter, personal email accounts, text message features of cell phones, use of blogs, and other electronic or technologically based communication systems.

- a. Before endeavoring to establish any social networking account, teachers should familiarize themselves with the features of any account they choose to use. For example, Facebook requires account holders to take specific steps to “privatize” the information they place online. You must educate yourself to these features of Facebook or any other social networking site you select. You will be responsible should any information you intended to be “private” becomes “public” due to your own ignorance of the features of the social network you have decided to use or your failure to properly use such features.
- b. You must also know that any information you share privately with a recipient could be re-distributed by such recipient, without your knowledge or consent. The same principles you apply to in person communication should be applied to online conversation: use discretion, and do not place your trust in individuals who have not proven themselves trustworthy. In essence, nothing you post online is ever truly “private.”
- c. The school district expects you to keep the line between your professional life and your personal life clearly drawn at all times. There is no reason why this cannot be done, even in light of the proliferation of social networking sites. All that is required is some forethought before using social networking for both your professional and personal life, to be sure that these lines never become blurred. For example, if the district does not maintain a web portal for staff to communicate outside of school hours as necessary with students and families, and an educator wishes to establish a Facebook or personal email account through which he or she will communicate with students, he or she should establish a Facebook identity and email identity that is separate from his/her “personal” Facebook identity or personal email account. He/she should only use his/her educational Facebook account or educational email account to communicate with students and/or parents and guardians on matters directly related to education. The “friends” associated with such educational Facebook account should only be members of the educational community, such as administrators, teachers, students, and parents of such students. It is strongly recommended that teachers will reject friend requests from individuals who do not fit into any of these categories.
- d. At all times, and in the use of any form of communications, staff members will always adhere to student privacy rights and the rights of employees to have their personnel and medical information kept confidential. Information that is protected by law from disclosure to third parties will not be communicated online in a way that unreasonably exposes such information to retrieval by those third parties. For example, through an educational Facebook account, a teacher may not post confidential student information on the “wall”, the “information” section, or through any part of that Facebook account that would be accessible to other of the Teacher’s Facebook “friends” associated with that account. If a teacher wishes to communicate privately

with a student through the educational Facebook account, such communication shall be conveyed only through the private email/message feature of Facebook, so that only the student may view the message and respond to it.

- e. Teachers are encouraged to communicate with students and parents on educational matters only, and only through school-based resources, such as school-provided email or web portal accounts. Use of one's personal email account or social networking account to discuss school business with students and parents is discouraged. It should be noted that, just because a teacher uses his/her personal email as opposed to a school email account, this does not shield such email from the provisions of the public records law or from discovery in litigation. It only prevents the archiving of such messages through the school district's automatic email archiving system. We again remind teachers that information sent or received by them, even through personal email or social network accounts, that are related to their capacity as a school employee, are still subject to public records retention, exemption and disclosure requirements."
- f. If a teacher conveys school related messages to students and parents on his/her private account, he/she should save such email or any communication conveyed through a social networking site, or print and save a paper copy of such email or other online communication, and file it, and regard its privacy, as he/she would any other document concerning that student. The teacher should forward copies of any such emails or online communications to his or her school based email account so that it can be properly retained and archived in compliance with the requirements of the public records law. Any document created or received by a public employee in his or her capacity as such is subject to retention, and perhaps disclosure under the public records law.
- g. No matter what medium of communication a teacher selects, he/she should adhere to appropriate teacher/student boundaries. You are a role model, not a student's friend, you are his/her teacher, and you should always conduct yourself in accordance with this understanding.
- h. This policy is not intended to infringe upon a teacher's right to speak publicly on matters of public concern, or to communicate with fellow members of their union on workplace issues, so long as such communication adheres to appropriate time, place and manner restrictions and does not interfere with the performance of your job duties. However, when you speak via social networking sites or tools on matters concerning your work, you are speaking as an employee and not as a citizen, restrictions may be placed upon your freedom to express yourself. Those restrictions are intended to preserve student confidentiality, maintain your status as an educator who should command and receive the respect of students, be able to maintain order and discipline in your classroom, and remain objective with respect to your students.

- i. Teachers are discouraged from using home telephones, personal cell phones, personal email accounts and personal Facebook accounts to communicate with students. Your communications with students, even if you do not use school resources for such communications, are within the jurisdiction of the school district to monitor as they arise out of your position as an educator. Any conduct, whether online or not, that reflects poorly upon the school district or consists of inappropriate behavior on the part of a staff member, may expose an employee to discipline up to and including discharge. Even if you are not using a school telephone, computer, classroom or the like to engage in contact with a student that such contact is not outside of the school district's authority to take appropriate disciplinary action. If your behavior is inappropriate, undermines your authority to instruct or maintain control and discipline with students, compromises your objectivity, or harms students, the school district reserves the right to impose discipline for such behavior. A teacher may also face individual liability for inappropriate online communications with students and/or parents and guardians, as well as exposing the district to vicarious liability in certain instances.

At the same time, the district recognizes that, in limited cases, use of cell phone text messages or cell phone calls or emails outside of regular school hours may be reasonably necessary. For example, in connection with school sponsored events for which teachers serve as duly appointed advisors, they may need to convey messages in a timely manner to students and may not have access to school based email accounts, school provided telephones or school based web pages. In such limited circumstances, the district anticipates that teachers will make reasonable use of their cell phones or smart phones to convey time sensitive information on scheduling issues and the like.

- j. If you are communicating as an employee of the district in your online communications, you must be aware that readers will assume you "speak for the school district." Therefore, all of your online communications, when you are actually acting on behalf of the district, or creating the appearance that you are doing so, must be professional at all times and reflect positively on the school district.
- k. In the use of your Facebook account or other social networking site, you may not, without express permission from the superintendent of schools, use the school's logo, likeness or any school photographs or other property that belongs to the school.
- l. References to "Facebook" are not included to limit application of their policy to use of that program. All online, electronic or computerized means of communication are subject to this policy. Given the rapid pace of technological change it is not possible to identify all proprietary or commonly named or identified means of such communications.

Adopted: January 9, 2012

Reviewed: March 4, 2014; Reviewed: December 6, 2018

Berkley Public Schools

REGULATION OF SCHOOL ATTENDANCE

Policy #6100

- 6100.1 Regular and punctual school attendance is essential for success in school. The committee does recognize that parents of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.
- 6100.2 Therefore, students may be excused temporarily from school attendance for the following reasons:
1. Illness or quarantine.
 2. Bereavement or serious illness in family.
 3. Weather so inclement as to endanger the health of the child.
 4. Observance of major religious holidays.
- 6100.3 A child may also be excused for other exceptional reasons with approval of the school administrator.
- 6100.4 A student's understanding of the importance of day to day school work is an important factor in the shaping of his character. Parents can help their children by refusing to allow them to miss school needlessly.
- 6100.5 Accordingly, parents will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of absences where advance notice is possible.
- 6100.6 In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable.
- 6100.7 The superintendent and principals have developed an Attendance Monitoring Protocol for controlling absences, tardiness, and dismissals for the schools of the system. The Attendance Monitoring Protocol is provided to all parents and is strictly enforced.

Adopted: May 8, 1973
Amended: May 15, 2000
Reviewed: Nov. 1, 2007
Reviewed: March 4, 2014
Amended: Oct. 19, 2015

LEGAL REF: M.G.L. Chapter 76

Berkley Public Schools

CRITERIA FOR ESTABLISHING AGE OF STUDENTS

Policy #6110

6110.1 Evidence of age for establishing either eligibility for entrance, requirement for compulsory attendance, eligibility for work experience, eligibility for withdrawing from school, or eligibility for adult and evening education programs shall be documented by one of the following:

6110.11 An officially “sealed” birth certificate or other legal document.

6110.12 If none of the above are available, an affidavit of age sworn by the parent or guardian and accompanied by a certificate of age from a public health officer or the school physician.

Adopted: May 8, 1973
Amended: Jan. 12, 2004
Amended: Dec. 17, 2007
Reviewed: March 4, 2014

Berkley Public Schools

SCHOOL ENTRY AGE

Policy #6111

Effective September 1983, the Kindergarten entrance age is five (5) years of age on or before August 31. The Grade One entrance age is six (6) years on or before August 31.

Ref: MA DESE 603 CMR 8.00

Adopted: June 1, 1982
Amended: June 16, 1983
Reviewed: Dec. 6, 2007
Reviewed: March 4, 2014
Reviewed: Jan. 24, 2019

EARLY KINDERGARTEN ENTRY

Policy #6112

Parents who believe their child should be considered for early entrance to kindergarten should advise their School Principal of their request in writing no later than April 15th. The following procedure will be used to determine the child's readiness and eligibility for early kindergarten entrance.

SCREENING

All children seeking early entry to kindergarten must participate in a developmental screening of their skills. Screening for early entry to kindergarten will be held after the regularly scheduled kindergarten registration in the spring. For those children who recently moved to the community, screening for early entry will be scheduled upon receipt of the written request. Appointments for such screening should be made through the Assistant Principal in charge of Early Childhood programs.

At the screening, parents should provide some evidence or illustrations of their child's achievement and appropriateness for early entry to support their request. Such evidence may include preschool reports, teacher letters, and work samples. Screening will also involve collecting relevant information about the child from a standard screening test, the observations of the Screening Team, and other sources. A child must demonstrate above average abilities and readiness to be considered for early entry into kindergarten. Additionally, the child should demonstrate a high degree of social/emotional maturity.

Based on the screening results and other information gathered, the Screening Team will decide:

1. to **not** grant early entry to Kindergarten,
2. that a referral should be made to the Evaluation Team for further assessments of the child's social, emotional, and academic readiness for Kindergarten,
3. that a recommendation should be made to the Superintendent of Schools to consider early entry approval.

The School Principal or Assistant Principal in charge of Early Childhood programs will advise parents of the Team's decision and the reasons for it.

REFERRAL AND EVALUATION

If a referral is made, the Evaluation Team will conduct additional psycho-educational assessments to determine whether a recommendation to the School Committee for early kindergarten entrance is in the best interest of the child. The Evaluation Team, School Principal or Assistant Principal will advise the parents of the Team's decision and explain the reasons for it.

SCHOOL COMMITTEE DECISION

Upon recommendation of the Superintendent of Schools, the School Committee will decide if a child may enter kindergarten early after fully considering the recommendation of the Screening Team and/or Evaluation Team.

Adopted: May 5, 1992
Amended: Jan. 14, 2008
Reviewed: March 4, 2014

Berkley Public Schools

FIRST GRADE EARLY ENTRY

Policy #6113

In general students are best served by attending school with their age-group peers. Parents who believe that their child should be considered for early entrance to the first grade should advise their school principal of their request in writing, no later than April 15th. The following procedure will be used to determine the child's readiness and eligibility for early entry into first grade.

SCREENING

Screening for early entry into first grade will occur after a written request has been received. Appointments for the screening should be made through the Assistant Principal in charge of Early Childhood programs.

At the screening parents should provide evidence of their child's achievement and appropriateness for early entry to support their request (kindergarten report card/progress reports). Screening will also involve collecting relevant information about the child from a standard screening test, observation, and other sources.

Based on the screening results and other information gathered, the Screening Team will decide upon one of the following:

- ♦ No early entry to first grade.
- ♦ A referral should be made to the Evaluation Team for further assessments of the child's social, emotional, and academic readiness for first grade.
- ♦ A recommendation to the Superintendent of Schools to consider early entry.

The Principal or Assistant Principal will advise parents of the decision and the reasons for it. If the parent is not satisfied with the decision, he or she may appeal to the Superintendent.

REFERRAL AND EVALUATION

If a referral is made, the Evaluation Team will conduct additional psycho-educational assessments to determine whether or not a recommendation to the Superintendent for early entry into first grade is in the best interest of the child. The Evaluation Team, Assistant Principal or the School Principal will advise the parents of the team's decision and explain the reasons for it.

SCHOOL COMMITTEE DECISION

Upon recommendation of the Superintendent of Schools, the School Committee will decide if a child may enter first grade early after fully considering the recommendation of the Screening Team and/or Evaluation Team.

Adopted:-May 19, 1997
Amended: Jan. 14, 2008
Reviewed: March 4, 2014

Berkley Public Schools

PRE-SCHOOL ENROLLMENT GUIDELINES

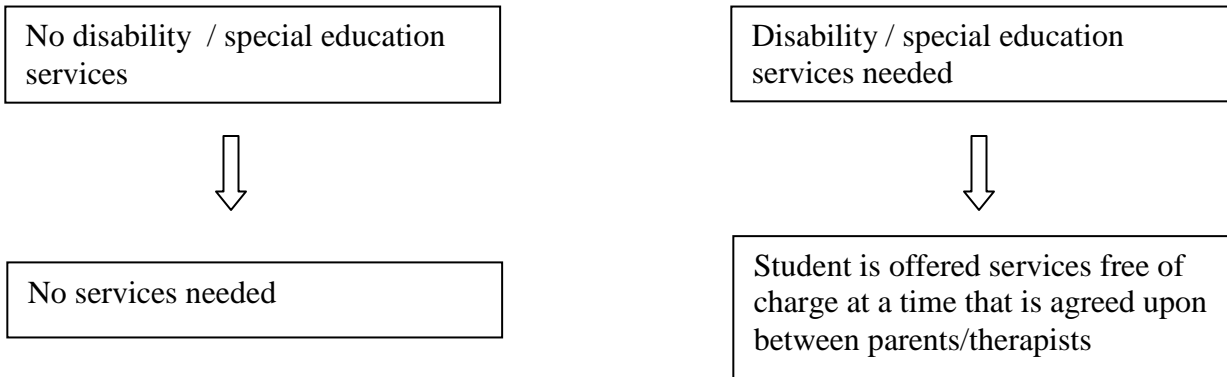
Policy #6120

1. The Berkley Community School Preschool Program provides learning opportunities for children ages 3 through 4 who have been identified with special needs. The remaining slots in the Preschool Program are filled with students selected at large by lottery.
2. Special education eligibility is determined by a team at an initial evaluation meeting as mandated by state law. Students who are eligible for special education services must be offered these services free of charge. These services will take place during a mutually agreed upon time by the parent and the service provider.
3. If parents choose to enroll their child who has special needs into the preschool, they must follow the same tuition and lottery rules as other parents. However, if the team at the initial evaluation meeting has determined that a student would benefit from the preschool program, an at-risk slot may be utilized. An at-risk slot means that the lottery is not necessary, but parents must still pay full tuition.
4. If the special education team recommends that a child attend the preschool in order to maximize services, then the tuition is waived.
5. A preschool informational meeting is held for parents in the spring that precedes the next school year. Parents may make appointments for early childhood screening and complete lottery registration forms at the meeting. Parents unable to attend this meeting must come to the school to complete lottery registration forms and make appointments for screening.
6. Children who are age 3 on or before August 31 may be registered for the lottery for three-year-old children; and children who are four years old on or before August 31 may be registered for the lottery for four-year-old children. In order for children to be eligible to begin school, all registration forms must be completed with copies of the following items: 3 proofs of residency, birth certificate, current physical (within one year), proof of lead test and updated immunization record.
7. Children registered for the preschool lottery must participate in an early childhood screening before the lottery drawing takes place. Screening results allow the Early Childhood Team to identify children at risk or in need of further evaluation to determine specific learning needs. Children who are identified through the early childhood screening process with special needs will be enrolled in the preschool program without having to go through the lottery.
8. The lottery is held after screenings are completed and children “at risk” or in need of special education services are identified. In accordance with 603 Code of Massachusetts

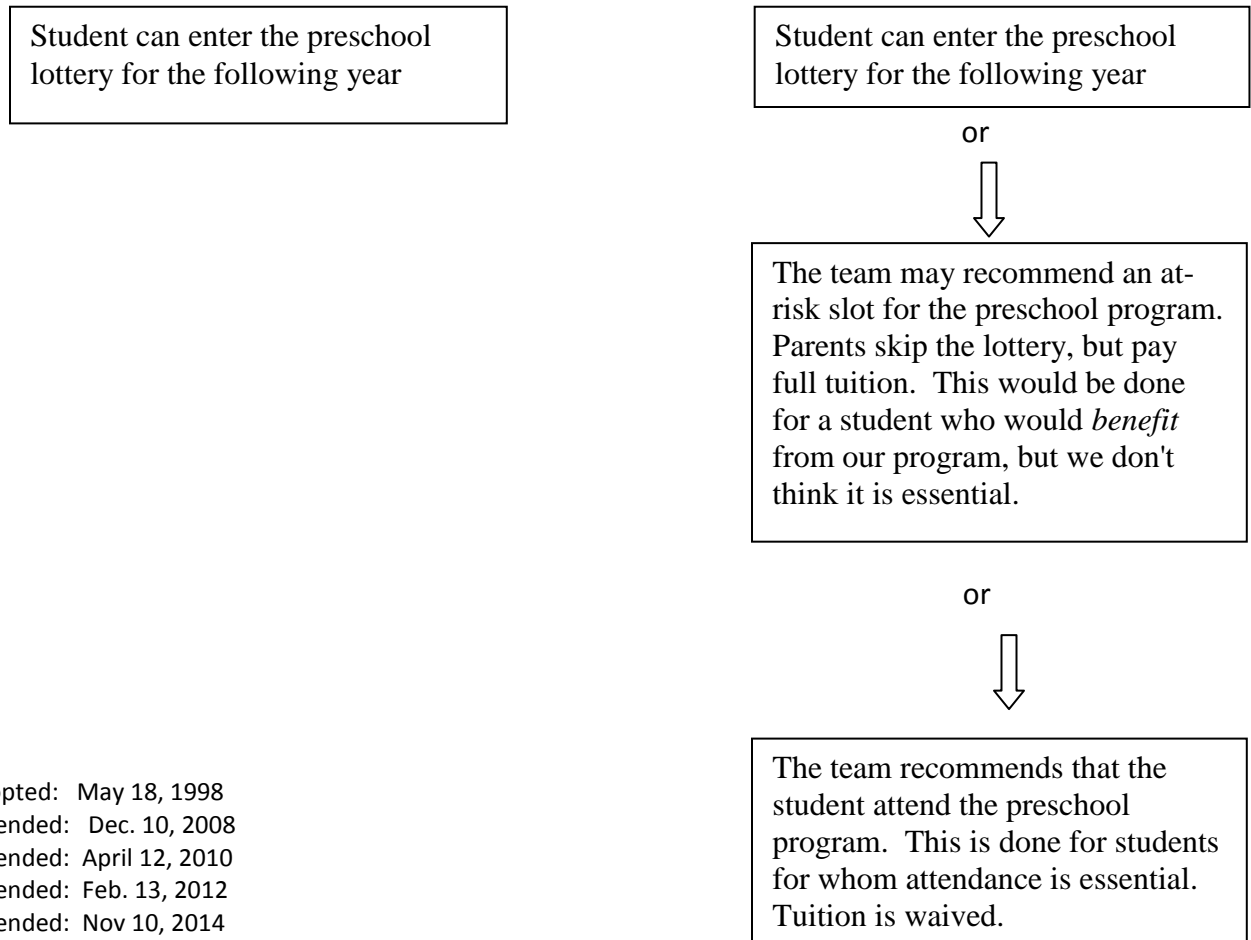
Regulations (CMR) 28.07 (e) (2), “For public school programs that integrate children with and without disabilities, the class size shall not exceed 20 with one teacher and one aide and no more than five students with disabilities. If the number of students with disabilities is six or seven then the class size may not exceed 15 students with one teacher and one aide.” A number of preschool slots also need to be reserved for children who may be identified to be in need of special services later in the school year (i.e. children referred through Early Intervention or physicians).

9. Two separate lottery drawings are held—one for three-year-old children and one for four-year-old children. Children selected in the lottery who are age 3 can attend the program for two years. Four-year-old children selected in the lottery who do not turn age 5 by August 31 may also participate for two years. The remaining slots that are not filled by children returning and not being held for children needing special services will be given to children selected in the lottery. Parents may request a specific teacher or morning or afternoon sessions; however, school personnel will determine these assignments after careful consideration of student needs within each classroom setting.
10. Parents must re-register their child for the second year by April 15 with a deposit of \$100.00.

Referral for special education services for a preschool aged student



Preschool Options



Adopted: May 18, 1998
Amended: Dec. 10, 2008
Amended: April 12, 2010
Amended: Feb. 13, 2012
Amended: Nov 10, 2014

Berkley Public Schools

FULL DAY KINDERGARTEN TUITION

POLICY #6125

The Berkley Public Schools recognizes the value of full day kindergarten. Effective September 2011, Berkley does not charge tuition for full day kindergarten. However, in the event that the budget requires that tuition be reinstated, this will serve as the full day kindergarten tuition policy to ensure equity for families with financial need. This policy is in compliance with the requirements of the Department of Elementary and Secondary Education.

Tuition for full day kindergarten will be allocated to a revolving account so that funds may be designated for kindergarten program costs.

Kindergarten tuition will be paid according to the procedures outlined in the Kindergarten Registration Materials. Those materials will also indicate that tuition reduction including the deposit for full day kindergarten is available for families who qualify. A sliding fee scale, developed by the Department of Education will be utilized to determine the rate paid by families with limited income. Additionally, eligibility for discounted or waived tuition for families who may be unable to pay the whole tuition due to unpredicted adverse circumstances (e.g. serious illness of a parent, homelessness, K retention, residence burned down, loss of family business, etc.) will be considered. Families who wish to apply for tuition reduction will contact the Early Childhood Coordinator.

Parents paying tuition for full day kindergarten who receive tuition reduction determined by the sliding fee scale, will receive the same percentage reduction for any field trip charges.

Students may be moved to half day kindergarten program for non-payment of tuition.

Adopted: April 9, 2007

Reviewed: December 6, 2007

Amended: January 9, 2012

Reviewed: October 2, 2014

Berkley Public Schools

STUDENT RESIDENCY REQUIREMENTS

POLICY #6131

6131.1 Students who attend the Berkley Public Schools must be residents of Berkley, unless enrolled under school committee policy Special Education Programs with Low Enrollment #6132 or School Choice #6133. Three (3) documents to prove residency are required.

6131.2 In order to register a child for school, all applicants must submit at least one document from each of the columns below (document must be current within 60 days). The documents must be pre-printed with the name and address of the student’s parent or guardian. These documents also are required for any change of address.

COLUMN A	COLUMN B	COLUMN C
<input type="checkbox"/> Copy of Deed & record of most recent mortgage payment	A utility bill or work order dated within 30 days from one of the following:	<input type="checkbox"/> Valid MA driver’s license
<input type="checkbox"/> Copy of lease agreement & most recent rent payment	<input type="checkbox"/> Gas Company	<input type="checkbox"/> Current vehicle registration
<input type="checkbox"/> Legal affidavit from landlord affirming tenancy & record of most recent rent payment	<input type="checkbox"/> Oil Company <input type="checkbox"/> Electric Company <input type="checkbox"/> Tel. Company <input type="checkbox"/> Cable bill <input type="checkbox"/> Water bill	<input type="checkbox"/> Valid MA photo ID
<input type="checkbox"/> Section 8 Agreement		<input type="checkbox"/> W-2 form
		<input type="checkbox"/> Excise tax bill
		<input type="checkbox"/> Property bill <input type="checkbox"/> Payroll stub <input type="checkbox"/> Bank/credit card

6131.3 Students requesting to begin in the school system before they actually reside in Berkley should be allowed to attend tuition free until the last day of the first quarter, providing they have a signed purchase/sales agreement. Follow up with the required documentation listed above within 60 days of the start of school is required to ensure the closing on the home took place. A determination that a student is ineligible to attend Berkley Public Schools due to a failure to reside in the Town of Berkley will result in dismissal from Berkley Public Schools. Students wishing to stay in the Berkley Public Schools through the end of the school year after moving out of Berkley will be allowed to attend tuition free from the first day

of the fourth quarter through the last day of that school year. Students who attend for more than one quarter under these exceptions shall be required to pay tuition. The School Committee shall establish tuition rates based on the cost. In cases of demonstrated financial hardship, the Superintendent is authorized to consider the circumstances and make adjustments to the rate charged.

- 6131.4 Requests for the above exceptions should be submitted in writing to the Superintendent, and additional documentation of residency may be required.
- 6131.5 The Superintendent or designee may require completion of a Certificate of Residency (attached).
- 6131.6 NOTE: Requests from parents of eighth-grade students for situations other than listed above will be decided individually by the School Committee with a recommendation by the Superintendent.

Adopted: June 17, 1991

Revised: Feb. 9, 1998

Amended: Jan. 12, 2004

Amended: Oct. 17, 2005

Reviewed: Dec. 6, 2007

Amended: May 18, 2009

Amended: March 14, 2011

Reviewed: Oct. 1, 2013

Amended: Nov. 10, 2014

Berkley Public Schools

SPECIAL EDUCATION PROGRAMS WITH LOW ENROLLMENT

Policy #6132

The Special Education Director, with approval from the Superintendent, may charge tuition to the district of non-resident students that attend special education programs in Berkley. Non-resident students may be enrolled in situations where the program will be more efficiently run with additional students. The Superintendent shall establish the tuition rate charged based on the cost per pupil.

Adopted: February 9, 1998
Reviewed: December 6, 2007
Reviewed: October 2, 2014

Berkley Public Schools

SCHOOL CHOICE

Policy #6133

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. 76.12) and under the following local conditions:

1. That by May of every school year, the administration will determine the number of spaces in each grade level available to choice students.
2. That by June 1 of every school year, consideration be given to withdraw from the provisions of the choice law, a public meeting will be held to review this decision.
3. The selection of non-residence students for admission to the Berkley Public School Choice Program when the numbers of requests exceed the number of available spaces will 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 not later than July 1st. The second will be conducted during the week immediately preceding the beginning of the next school year to fill openings not filled or vacated since the first random drawing.
4. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the district until graduation, except if there is a lack of funding of the program.
5. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religion, national origin, sex, age, gender identity, sexual orientation, ancestry, athletic performance, physical handicap, special need, homelessness, pregnancy, pregnancy-related condition, academic performance or proficiency in English language.

SOURCE: MASC Policy

LEGAL REFERENCES: M.G.L. 71:6, 71:6A, 76:6, 76:12, 76:12B
BESE Regulations 603 CMR 26:00

Approved: Nov. 17, 2003
Reviewed: Dec. 6, 2007
Amended: Nov. 5, 2012
Amended: Nov 10, 2014
Amended: March 18, 2019

Berkley Public Schools

TRANSFER TO ANOTHER DISTRICT

Policy #6135

- 6135.1 When any child leaves the school or institution where he is being educated because of change of residence to another town in the commonwealth, the superintendent of schools, in the case of a public school, or otherwise the person in charge, shall furnish such child a transfer card in a form prescribed by the Department of Elementary & Secondary Education (DESE) which shall contain, in addition to any other information relative to him, his name, age, grade in school, and in every case possible, his new street and number, and shall forthwith send a duplicate thereof to the superintendent of schools of the town where the child is to reside.¹
- 6135.2 Parents are encouraged to give the school office at least one week's notice prior to moving out of the system.

Adopted: May 8, 1973
Amended: January 14, 2008
Reviewed: October 2, 2014

¹ General Laws, Chapter 76, Section 13

Berkley Public Schools

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

Policy #6136

To the extent practical as required by the federal McKinney-Vento Homeless Assistance Act of 2002, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and adequate night-time 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.

The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. Homeless liaison is responsible for reporting:

- enrolled students identified as homeless,
- their living arrangement at the time they are identified and,
- whether they are unaccompanied.

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

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will

carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

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

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

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

LEGAL REFS: McKinney-Vento Homeless Assistance Act of 2002

Approved: April 12, 2004

Reviewed: December 6, 2007

Amended: November 10, 2014

Amended: May 13, 2019

EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

Policy #6140

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences. A foster care point of contact is required in each district.

Definition:

- Students who are in 24 hour out-of-home care, placed away from their parents or guardians, and for whom the Department of Children and Families (DCF) has placement and care responsibilities.
- Includes students previously identified as “awaiting foster care” (in emergency, short-term placements) under McKinney-Vento Homeless Assistance Act of 2002.
- Students who are in foster homes include, but are not limited to group homes, foster homes, kinship foster homes, STARR, Transitional Care Units (TCUs).

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

Best Interest Determination

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

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not

subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Transportation

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

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

Immediate Enrollment

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

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

LEGAL REFS: Every Student Succeeds Act (ESSA); Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

Adopted: May 13, 2019

EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

Policy #6145

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents/guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The School Committee 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 means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

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

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

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

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.
- Simultaneously, 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 within 30 days from the date of enrollment (or be in progress).

- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, 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.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of 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.

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

Interstate Compact on Educational Opportunity for Military Children

Adopted: May 13, 2019

Berkley Public Schools

EMERGENCY WEATHER PROVISIONS

Policy #6210

- 6210.1 No outdoor school-sponsored activities will be allowed during electrical disturbances.
- 6210.2 In event of a serious snowstorm, ice storm, threat of a hurricane, or any other situation that could endanger health or safety, the Superintendent in consultation with appropriate persons may cancel school for the day or postpone the opening time of school. In addition, the Superintendent may close school early on the grounds of weather hazards. The Superintendent will keep the Chairman of the School Committee informed of developments and decisions during days of weather emergencies.
- 6210.3 The Superintendent is responsible for effectively communicating his decisions via “all call communication system”, local radio and television.
- 6210.4 Parents’ decisions not to send their children to school on days when weather conditions are questionable will be respected.

Adopted: May 8, 1973
Revised: March 15, 2004
Reviewed: Dec. 6, 2007
Amended: Nov. 10, 2014

Berkley Public Schools

FIRST AID

Policy #6300

The district attempts to provide a safe environment. If an accident or sudden illness occurs, school personnel will administer first aid and, if warranted, call emergency medical services. In the case of illness that may include an infectious disease the school physician shall be notified in accordance with law.

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. In the event of an illness or an injury, every effort will be made to contact the parent/guardian.
3. In extreme emergencies, the school nurse, Principal or designee may make arrangements for immediate transport to a hospital of injured or ill students, contacting parent or guardian in advance if at all possible.
4. The teacher or other staff member to whom a child is responsible at the time an accident occurs will complete a report on an official form providing details about the accident. This will be required for every accident for which first aid is given.
5. 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.

SOURCE: MASC August 2016

LEGAL REFS.: M.G.L. [71:55A](#); [71:56](#)

Adopted: June 11, 2018

Berkley Public Schools

INOCULATIONS OF STUDENTS

Policy #6305

Students entering school for the first time (whether preschool, kindergarten or through transfer from another school district) 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. Current students must be inoculated as required 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 interest of the child, or by the student's parent/guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent/guardian.

SOURCE: MASC October 2016

LEGAL REF.: M.G.L. [76:15](#)

Adopted: March 18, 2019

Berkley Public Schools

UNIVERSAL PRECAUTIONS STATEMENT

Policy #6310

- 6310.1 The safety policies of the practice of Universal Precautions must be followed by all employees exposed to blood and certain body fluids from any student or staff member, regardless of the person's blood borne infection status. The practices outlined below are effective in preventing the exposure of staff members to HIV, Hepatitis B virus, and other blood borne pathogens.
- 6310.2 The specimens for which universal precautions apply are as follows:
- torn or loose skin,
 - unfixed tissue or organs,
 - blood,
 - any other fluid in which blood is visibly present,
 - all body fluids in situations where it is difficult or impossible to differentiate between body fluids.
- 6310.3 Protective barriers provided by the school department must be used to protect exposed workers from potential infections. The exposure control plan specifies the type of barriers needed for the most common situations, however; specifying barriers for every possible situation is impractical; some judgment must be exercised.
- 6310.4 Current Occupational Safety and Health Administration (OSHA) mandates and requirements will be followed.
- 6310.5 All employees whose job is determined to involve definite risk exposure to student or staff body fluids will be offered the HBV vaccine if it is not offered by their health insurance. Any employee who refuses the vaccine must do so in writing. Any worker who has been accidentally exposed to potentially infectious body fluids (through needle stick or contact with mucous membranes) will immediately contact the school nurse on duty for evaluation and follow up.
- 6310.6 The school nurse is authorized to develop an exposure control plan that includes appropriate training for staff. Review and revision of the exposure control plan shall occur as needed but at least every two years. The school nurse will update and submit any changes to the Superintendent for School Committee approval.

Adopted: November 14, 1994

Amended: June 19, 2000

Reviewed: Dec. 6, 2007

Reviewed: March 6, 2015

BERKLEY PUBLIC SCHOOLS

COMMUNICABLE DISEASES

Policy #6311

- 6311.1 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.
- 6311.2 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.
- 6311.3 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.
- 6311.4 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.
- 6311.5 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.
- 6311.6 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.
- 6311.7 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 with advisement from the school nurse(s).

Adopted: November 14, 1994

Amended: June 19, 2000

Amended: April 14, 2008

Reviewed: March 6, 2015

Amended: May 13, 2019

LEGAL REF: M.G.L. 71:55

ADMINISTRATION OF MEDICATIONS

POLICY #6315

The Berkley School Committee approves the following policies governing administration of medications in the schools under its jurisdiction.

- I. Management of the Medication Administration Program
 - A. The school nurse shall be the supervisor of the medication administration program in the school.
 - B. The school nurse, the school physician, and the school health advisory committee if established, shall develop and propose to the Superintendent and the School Committee policies and procedures relating to the administration of medications.
 - C. Medication Orders/Parental Consent:
 1. The school nurse shall ensure that there is a proper medication order from a licensed prescriber that is renewed as necessary, including the beginning of each academic year. A telephone order or an order for any change in medication shall be received only by the school nurse. Any such verbal order must be followed by a written order within three school days. Whenever possible, the medication order shall be obtained, and the medication administration plan shall be developed before the student enters or re-enters school.
 - a. In accordance with standard medical practice, a medication order from a licensed prescriber shall contain:
 - (1) student's name,
 - (2) name and signature of the licensed prescriber and business and emergency phone numbers,
 - (3) name of the medication,
 - (4) route and dosage of medication,
 - (5) frequency and time of medication administration,
 - (6) date of the order and discontinuation date,
 - (7) diagnosis and any other medical condition(s) requiring medication, if not a violation of confidentiality or if not contrary to the request of a parent, guardian, or student to keep confidential,
 - (8) specific directions for administration.
 - b. Every effort shall be made to obtain from the licensed prescriber the following additional information, if appropriate:
 - (1) special side effects, contraindications, and adverse reactions to be observed,
 - (2) other medications being taken by the student;
 - (3) date of the next scheduled visit, if known.
 - c. Special Medication Situations
 - (1) For short-term medications, i.e., those requiring administration for ten school days or fewer, the pharmacy-labeled container may be used in lieu of a licensed prescriber's order; if the nurse has a question, she may request a licensed prescriber's order.

- (2) For “over the counter” medications, i.e. non-prescription medications, the school nurse shall follow the Board of Registration in Nursing’s protocols regarding administration of over-the-counter medications in schools.
 - (3) Investigational new drugs may be administered in the schools with:
 - (a) written order by a licensed prescriber,
 - (b) written consent of the parent/guardian, and
 - (c) pharmacy-labeled container for dispensing.If there is a question, the school nurse may seek consultation and/or approval from the school physician to administer the medication in the school setting.
2. The school nurse shall ensure that there is a written authorization by the parent/guardian, which contains the following:
 - a. Parent/guardian’s printed name, signature, and an emergency phone number,
 - b. list of all medications the student is currently receiving, if not a violation of confidentiality or contrary to the request of the parent/guardian or student that such medications not be documented,
 - c. approval to have the school nurse or school personnel designated by the school nurse to administer the medication,
 - d. Person(s) to be notified in case of a medication emergency, in addition to the parent/guardian and licensed prescriber.

D. Medication Administration Plan

1. The school nurse, in collaboration with the parent/guardian whenever possible, shall establish a medication administration plan for each student receiving a medication. Whenever possible, a student who understands the issues of medication administration shall be involved in the decision-making process and his/her preferences respected to the maximum extent possible. In Massachusetts, students 18 years of age or older are considered adults and parent/guardian involvement is not required. If appropriate, the medication administration plan shall be referenced in any other health or educational plan developed pursuant to the Massachusetts Special Education Law (Individual Education Plan under Chapter 766) or federal laws, such as the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.
2. Prior to the initial administration of the medication, the school nurse shall assess the child’s health status and develop a medication administration plan that includes the following:
 - a. name of the student,
 - b. order from a licensed prescriber, including business and emergency telephone numbers,
 - c. signed authorization of the parent/guardian, including home and business telephone numbers,

- d. any known allergies to food or medications,
 - e. diagnosis, unless a violation of confidentiality or the parent, guardian, or student requests that it not be documented,
 - f. name of the medication,
 - g. dosage of the medication, frequency of administration, and route of administration,
 - h. specific directions for administration,
 - i. possible side effects, adverse reactions, or contraindications,
 - j. quantity of medication to be received by the school from the parent/guardian,
 - k. required storage conditions,
 - l. duration of the prescription,
 - m. designation of unlicensed school personnel, if any, who will administer the medication to the student in the absence of the nurse, and plans for back-up if the designated persons are unavailable,
 - n. plans, if any, for teaching self-administration of the medication,
 - o. with parental permission, other persons, including teachers, to be notified of medication administration and possible adverse effects of the medication,
 - p. list of other medications being taken by the student, if not a violation of confidentiality or contrary to the request of the parent, guardian, or student that such medication not be documented,
 - q. when appropriate, the location where the administration of the medication will take place,
 - r. plan for monitoring the effects of the medication,
 - s. provision for medication administration in the case of field trips and other short-term special school events. Every effort shall be made to obtain a nurse or school staff member trained in medication administration to accompany students at special school events. When this is not possible, the school nurse may delegate medication administration to another responsible adult. Written consent from the parent/guardian for the named responsible adult to administer the medication shall be obtained. The school nurse shall instruct the responsible adult on how to administer the medication to the child.
3. The school nurse shall develop a procedure to ensure the positive identification of the student who receives the medication.
 4. The school nurse shall communicate significant observations relating to medication effectiveness and adverse reactions or other harmful effects to the child's parent/guardian and/or licensed prescriber.
 5. In accordance with standard nursing practice, the school nurse may refuse to administer or allow to be administered any medication, which, based on her/his individual assessment and professional judgment, has the potential to be harmful, dangerous, or inappropriate. In these cases, the parent/guardian and licensed prescriber shall be notified immediately by the school nurse and the reason for refusal explained.
 6. For the purposes of medication administration, the Licensed Practical Nurse functions under the general supervision of the school nurse who has delegating

authority. (Medication administration is within the scope of practice for the Licensed Practical Nurse under MGL, Chapter 112.)

7. The school nurse shall have a current pharmaceutical reference available for his/her use.

E. Delegation/Supervision

This section applies to school districts or private schools which have been registered by the Massachusetts Department of Public Health to permit school nurses to delegate responsibility for administration of medication to trained nursing-supervised unlicensed school personnel.

The Berkley School Committee

Authorizes

Does not authorize

That the responsibility for the administration of medication may be delegated to the following categories of unlicensed school personnel according to criteria delineated in CMR 210.004 (B)(2):

Administrative staff

Teaching staff, support staff and coaches

Licensed health personnel

Health aides

Secretaries

For the purpose of administering emergency medication to an individual child, including parenteral administration (i.e. by injection) of medication pursuant to 210.004 (B)(2), the school nurse may identify individual school personnel or additional categories. Said school personnel shall be listed on the medication administration plan and receive training in the administration of emergency medication to a specific child.

1. The school nurse, in consultation with the school physician, shall have final decision-making authority with respect to delegating administration of medications to unlicensed personnel in school systems registered with the Department of Public Health.
2. When medication administration is delegated by the school nurse to unlicensed school personnel, such personnel shall be under the supervision of the school nurse for the purposes of medication administration.
3. A school nurse shall be on duty in the school system while medications are being administered by designated unlicensed school personnel, and available by telephone should consultation be required.
4. The administration of parenteral medications may not be delegated, with the exception of epinephrine where the child has a known allergy or pre-existing medical condition and there is an order for administration of the medication from a licensed prescriber and written consent of the parent/guardian.

5. Prescription medications to be administered pursuant to prn (as needed) orders may be administered by authorized school personnel after an assessment by or consultation with the school nurse for each dose.
6. For each school, an updated list of unlicensed school personnel who have been trained in the administration of medications shall be maintained. Upon request, a parent shall be provided with a list of school personnel authorized to administer medications.
7. Supervision of Unlicensed Personnel

Authorized unlicensed personnel administering medications shall be under the supervision of the school nurse. The School Committee, in consultation with the Board of Health where appropriate, shall provide assurance that sufficient school nurse(s) are available to provide proper supervision of unlicensed school personnel. Responsibilities for supervision at a minimum shall include the following:

- (a) After consultation with the principal or administrator responsible for a given school, the school nurse shall select, train, and supervise the specific individuals, in those categories of school personnel approved by the School Committee, in consultation with the Board of Health when appropriate, who may administer medications. When necessary to protect student health and safety, the school nurse may rescind such selection.
- (b) The number of unlicensed school personnel to whom responsibility for medication administration may be delegated is determined by the following:
 - (1) the number of unlicensed school personnel the school nurse can adequately supervise on a weekly basis as determined by the school nurse;
 - (2) the number of unlicensed school personnel necessary, in the nurse's judgment, to ensure that the medications are properly administered to each student.
- (c) The school nurse shall supervise the training of the designees consistent with the Department of Public Health's requirements in CMR 210.007 of the Regulations Governing the Administration of Prescription Medications in Public and Private Schools.
 - (1) The school nurse shall document the training and evidence of competency of unlicensed personnel designated to assume the responsibility for medication administration.
 - (2) The school nurse shall provide a training review and informational update, at least annually, for those school staff authorized to administer medications.
- (d) The school nurse shall support and assist persons who have completed the training to prepare for and implement their responsibilities related to the administration of medication.
- (e) The first time that an unlicensed school personnel administers medication, the delegating nurse shall provide supervision at the work site.
- (f) The degree of supervision required for each student shall be determined by the school nurse after an evaluation of the appropriate factors involved in protecting the student's health including, but not limited to the following:

- (1) health condition and ability of the student;
 - (2) extent of training and capability of the unlicensed school personnel to whom the medication administration is delegated,
 - (3) type of medication,
 - (4) proximity and availability of the school nurse to the unlicensed person who is performing the medication administration.
- (g) Personnel designated to administer medications shall be provided with the names and locations of school personnel who have documented certification in cardiopulmonary resuscitation. Schools should make every effort to have a minimum of two school staff members with documented certification in cardiopulmonary resuscitation present in each school building throughout the day.
- (h) For the individual child, the school nurse shall:
- (1) determine whether or not it is medically safe and appropriate to delegate medication administration,
 - (2) administer the first dose of the medication if
 - (a) there is reason to believe there is a risk to the child as indicated by the health assessment, or
 - (b) the student has not previously received this medication in any setting.
 - (3) review the initial orders, possible side effects, adverse reactions and other pertinent information with the person to whom medication administration has been delegated,
 - (4) provide supervision and consultation as needed to ensure that the student is receiving the medication appropriately. Supervision and consultation may include record review, on-site observation, and/or student assessment,
 - (5) review all documentation pertaining to medication administration every two weeks or more often as necessary.

II. Self-Administration of Medications

“Self-Administration” means the student is able to consume or apply medication in the manner directed by the licensed prescriber, without additional assistance or direction. A student may be responsible for taking his/her own medication after the school nurse has determined that the following requirements are met:

- A. The student, school nurse, and parent/guardian, where appropriate, enter into an agreement that specifies the conditions under which medication may be self administered.
- B. The school nurse, as appropriate, develops a medication administration plan that contains only those elements necessary to ensure safe self administration of medication.
- C. The student’s health status and abilities have been evaluated by the school nurse who then deems self administration safe and appropriate. As necessary, the school nurse shall observe initial self administration of the medication.

- D. The school nurse is reasonably assured that the student is able to identify the appropriate medication, knows the frequency and time of day for which the medication is ordered.
- E. There is written authorization from the student's parent/guardian that the student may self medicate, unless the student has consented to treatment under MGL, chapter 112, section 12F, or other authority permitting the student to consent to medical treatment without parental permission.
- F. If requested by the school nurse, the licensed prescriber provides a written order for self administration.
- G. The student follows a procedure for documentation of self administration of medication.
- H. The school nurse establishes a policy for the safe storage of self-administered medication and, as necessary, consults with teachers, the student, and parent/guardian, if appropriate, to determine a safe place for storing the medication for the individual student, while providing for accessibility if the student's health needs require it. This information shall be included in the medication administration plan. In the case of an inhaler or other preventive or emergency medication, whenever possible, a backup supply of the medication shall be kept in the health room or a second readily available location.
- I. The student's self administration is monitored based on his/her abilities and health status. Monitoring may include teaching the student the correct way of taking the medication, reminding the student to take the medication, visual observation to ensure compliance, recording that the medication was taken, and notifying the parent, guardian, or licensed prescriber of any side effects, variation from the plan, or the student's refusal or failure to take the medication.
- J. With parental/guardian and student permission, as appropriate, the school nurse may inform appropriate teachers and administrators that the student is self-administering a medication.

III. Handling, Storage, and Disposal of Medications

- A. A parent, guardian, or parent/guardian-designated responsible adult shall deliver all medications to be administered by school personnel or to be taken by self-medicating students (if required by the self-administration agreement), to the school nurse or other responsible person designated by the school nurse.
 - 1. The medication must be in a pharmacy or manufacturer labeled container.
 - 2. The school nurse or other responsible person receiving the medication shall document the quantity of the medication delivered.
 - 3. In extenuating circumstances, as determined by the school nurse, the medication may be delivered by other persons; provided, however, that the nurse is notified in advance by the parent/guardian of the arrangement and the quantity of medication being delivered to the school.
- B. All medications shall be stored in their original pharmacy or manufacturer labeled containers and in such manner as to render them safe and effective. Expiration dates shall be checked.

- C. All medications to be administered by school personnel shall be kept in a securely-locked cabinet used exclusively for medications, which is kept locked except when opened to obtain medications. The cabinet shall be substantially constructed and anchored securely to a solid surface. Medications requiring refrigeration shall be stored in either a locked box in a refrigerator or in a locked refrigerator maintained at temperatures of 38 to 42 degrees Fahrenheit.
- D. Access to stored medications shall be limited to persons authorized to administer medications and to self-medicating student. Access to keys and knowledge of the location of keys shall be restricted to the maximum extent possible. Students who are self-medicating shall not have access to other students' medications.
- E. Parents or guardians may retrieve the medications from the school at any time.
- F. No more than a thirty (30) school day supply of the medication for a student shall be stored at the school.
- G. Where possible, all unused, discontinued, or outdated medications shall be returned to the parent/guardian and the return appropriately documented. In extenuating circumstances, with parental consent when possible, such medications may be destroyed by the school nurse in accordance with any applicable policies of the Massachusetts Department of Public Health, Division of Food and Drugs. All medications should be returned at the end of the school year.

IV. Documentation and Record Keeping

- A. Each school where medications are administered by school personnel shall maintain a medication administration record for each student who receives medication during school hours.
 - 1. Such record at a minimum shall include a daily log and a medication administration plan, including the medication order and parent/guardian authorization.
 - 2. The medication administration plan shall include the information as described in Section 210.005 (E) of the Regulations Governing the Administration of Prescription Medications in Public and Private Schools.
 - 3. The daily log shall contain:
 - a. dose or amount of medication administered,
 - b. date and time of administration or omission of administration, including the reason for omission,
 - c. full signature of the nurse or designated unlicensed school personnel administering the medication. If the medication is given more than once by the same person, he/she may initial the record, subsequent to signing a full signature.
 - 4. The school nurse shall document in the medication administration record significant observations of the medication's effectiveness, as appropriate, and any adverse reactions or other harmful effects, as well as any action taken.
 - 5. All documentation shall be recorded in ink and shall not be altered;
 - 6. With the consent of the parent, guardian, or student where appropriate, the completed medication administration record and records pertinent to self-administration shall be filed in the student's cumulative health record. When the

parent, guardian, or student, where appropriate, objects, these records shall be regarded as confidential medical notes and shall be kept confidential.

- B. The school district shall comply with the Department of Public Health's reporting requirements for medication administration in the schools.
- C. The Department of Public Health may inspect any individual student medication record or record relating to the administration or storage of medications without prior notice to ensure compliance with the Regulations Governing the Administration of Prescription Medications in Public and Private Schools.

V. Reporting and Documentation of Medication Errors

- A. A medication error includes any failure to administer medication as prescribed for a particular student, including failure to administer the medication:
 - 1. In appropriate time frames (appropriate time frames should be addressed in the medication administration plan),
 - 2. In correct dosage,
 - 3. In accordance with accepted practice,
 - 4. to correct student.
- B. In the event of a medication error, the school nurse shall notify the parent/guardian immediately. (The school nurse shall document the effort to reach the parent/guardian.) If there is a question of potential harm to the student, the nurse shall also notify the student's licensed prescriber or school physician.
- C. Medication errors shall be documented by the school nurse on the accident/incident report form. These reports shall be retained in the following location: school health office and/or the student health record. They shall be made available to the Department of Public Health upon request. All medication errors resulting in serious illness requiring medical care shall be reported to the Department of Public Health, Bureau of Family and Community Health School Health Unit. All suspected diversion or tampering of drugs shall be reported to the Department of Public Health, Division of Food and Drugs.
- D. The school nurse shall review reports of medication errors and take necessary steps to ensure appropriate medication administration in the future.

VI. Response to Medication Emergencies

Refer to the school's policy for handling all health emergencies in the school. Such emergency policies shall contain:

- A. local emergency response system telephone numbers including ambulance, poison control number, local emergency care providers, etc.,
- B. persons to be notified, e.g., parent/guardian, licensed prescriber, etc.,
- C. names of persons in the school trained to provide first aid and cardio-pulmonary resuscitation,
- D. scheduled programs for staff to be trained in first aid and CPR,
- E. provision of necessary supplies and equipment, and
- F. reporting requirements.

The school nurse shall develop procedures for responding to medication emergencies, i.e., any reaction or condition related to administration of medication that poses an immediate threat to the health or wellbeing of the student. These procedures shall be consistent with the school's policy for handling all health emergencies and shall include maintaining a list of persons to be notified in case of a medication emergency.

VII. Administration of Epinephrine by Auto-injector to Individuals Experiencing Life-Threatening Allergic Reactions

If the school district/school is registered with the Department of Public Health, the school nurse may train unlicensed personnel to administer epinephrine by auto-injector to individuals with diagnosed life-threatening allergic events. The training program is managed with full decision-making authority, by the designated school nurse leader or responsible school nurse, in consultation with the school physician. This person, or school nurses designated by this person, shall select the individuals authorized to administer epinephrine by auto injector. Persons authorized to administer epinephrine shall meet the requirements of section 210.0004(B)(2):

- A. The school personnel authorized to administer epinephrine by auto injector are trained and tested for competency by the designated school nurse leader or responsible school nurse, or school nurses designated by this person, in accordance with standards and a curriculum established by the Department.
 1. The designated school nurse leader or responsible school nurse, or school nurses designated by this person, shall document the training and testing of competency.
 2. The designated school nurse leader or responsible school nurse, or a designee, shall provide a training review and informational update at least twice a year.
 3. The training, at a minimum, shall include:
 - (a) procedures for risk reduction,
 - (b) recognition of the symptoms of a severe allergic reaction,
 - (c) importance of following the medication administration plan,
 - (d) proper use of the auto-injector,
 - (e) requirements for proper storage and security,
 - (f) notification of appropriate persons following administration, and
 - (g) record keeping.
 4. The school shall maintain and make available, upon request by parents or staff, a list of those school personnel authorized and trained to administer epinephrine by auto injector in an emergency, when the school nurse is not immediately available.
- B. Epinephrine shall be administered only in accordance with an individualized medication administration plan satisfying the applicable requirements of 105 CMR 210.005(E) and 210.009(A)(6), updated every year, which includes the following:
 1. a diagnosis by a physician that the child is at risk of a life-threatening allergic reaction and a medication order containing proper dosage and indications for administration of epinephrine.
 2. written authorization by a parent or legal guardian.

3. home and emergency number for the parent(s) or legal guardian(s), as well as the name(s) and phone number(s) of any other person(s) to be notified if the parent(s) or guardian(s) are unavailable.
 4. identification of places where the epinephrine is to be stored, following consideration of the need for storage:
 - (a) at one or more places where the student may be most at risk,
 - (b) in such a manner as to allow rapid access by authorized persons, including possession by the student when appropriate; and
 - (c) in a place accessible only to authorized persons. The storage location(s) should be secure, but not locked during those times when epinephrine is most likely to be administered, as determined by the school nurse.
 5. a plan for comprehensive risk reduction for the student, including preventing exposure to specific allergens.
 6. an assessment of the student's readiness for self-administration and training, as appropriate.
- C. When epinephrine is administered, there shall be immediate notification of the local emergency medical services system (generally 911), followed by notification of the student's parent(s)/guardian(s) or, if the parent(s)/guardian(s) are not available, any other designated person(s), the school nurse, the student's physician, and the school physician to the extent possible. Because of the danger of biphasic reactions, the child should be transported by trained emergency medical personnel to the nearest emergency medical facility.
- D. There shall be procedures in accordance with any standards established by the Department for:
1. developing the medication administration plan,
 2. developing general policies for the proper storage of medication, including limiting access to persons authorized to administer the medication and returning unused or outdated medication to a parent/guardian whenever possible,
 3. recording receipt and return of medication by the school nurse,
 4. documenting the date and time of administration,
 5. notifying appropriate parties of administration and documenting such notification,
 6. reporting medication errors in accordance with 105CMR 210.005(F)(5),
 7. reviewing any incident involving administration of epinephrine to determine the adequacy of the response and to consider ways of reducing risks for the particular student and the student body in general,
 8. planning and working with the emergency medical system to ensure the fastest possible response,
 9. disposing properly of a used epinephrine injector,
 10. submitting a written report to the Department of Public Health each time epinephrine is administered to a student or staff, on a form obtained from the Department, and
 11. permitting the Department of Public Health to inspect any record related to the administration of epinephrine without prior notice, to ensure compliance with 105 CMR210.100.

- E. Epinephrine may be administered in accordance with these regulations in before and after school programs offered or provided by a school, such as athletic programs, special school events and school-sponsored programs on week-ends, provided that the public school district or non-public school is registered with the Department pursuant to section 210.100(A) and meets the requirements set forth in section 210.000(B).
1. Epinephrine may be administered in such before and after school programs and special events, to students attending the school where the epinephrine is to be administered, provided that the following requirements are met:
 - (a) the school committee or chief administrative officer in a non-public school approves, in the policy developed in accordance with section 210.100(A)(1), administration of epinephrine in such programs. The policy shall identify the school official(s), along with a school nurse for each school designated by the school nurse leader or responsible nurse, responsible for determining which before and after school programs and special events are to be covered by the policy,
 - (b) the designated school nurse approves administration of epinephrine in that program and selects the properly trained person(s) to administer the epinephrine;
 - (c) the school complies with the requirements of 105 CMR 210.100(A), including immediate notification of emergency medical services following administration of epinephrine, but need not comply with the requirement of section 210.004(B)(3), and
 - (d) the program is not licensed by another state agency, in which case the regulations promulgated by a the state agency will apply.
 2. Epinephrine may be administered in such before and after school programs and special events to students from another school or school district, if approved in the school policy developed pursuant to section 210.100(A)(1) and in accordance with the following requirements:
 - (a) The school complies with the requirements of sections 210.100(A) and 210.100(B)(1), including immediate notification of emergency medical services following administration of epinephrine, except as provided in subsection 210.100(B)(2)(d).
 - (b) In the event the student is accompanied by school personnel from the sending school, such personnel, whenever possible, shall assume responsibility for ensuring that the epinephrine is brought, properly stored and administered as necessary, in accordance with the medication administration plan developed by the sending school in accordance with subsection 210.100(A)(5).
 - (c) In the event the student is not accompanied by school personnel from the sending school or such personnel are not trained in the administration of epinephrine, the receiving school may, in its discretion, assume responsibility for administering epinephrine, provided that:
 - (1) The designated school nurse in the receiving school is provided with adequate prior noticed of the request, which shall be at least one week in advance unless otherwise specified by the designated school nurse,

- (2) The designated school nurse in the receiving school approves administration of epinephrine for that student,
 - (3) The designated school nurse selects properly trained person(s) to administer the epinephrine, and
 - (4) The student provides the designated school nurse, or the person(s) selected by the designated school nurse to administer epinephrine, with the medication to be administered.
3. If the receiving school assumes responsibility for administering epinephrine, whenever possible, the student shall provide the designated school nurse in the receiving school with a copy of the medication administration plan developed in accordance with section 105 CMR 210.005(E). The plan shall be provided to the designated school nurse in a timely fashion, in accordance with procedure established by the nurse. If no medication administration plan is provided, the student, at a minimum, shall provide to the designated school nurse in the receiving school:
- (a) Written authorization and emergency phone numbers from a parent/guardian,
 - (b) Copy of a medication order from a licensed provider, and
 - (c) Any specific indications or instructions for administration.

In addition to the above policies, the Department recommends that each school district have a written protocol, signed by the school physician, authorizing the school nurse to administer epinephrine to previously undiagnosed individuals who experience their first life threatening allergic event in the school setting. Stock supplies of epinephrine should be maintained by the school nurse for this purpose.

VIII. Dissemination of Information to Parents/Guardians Regarding Administration of Medication

Such information shall include an outline of these medication policies and shall be available to parents and guardians upon request.

IX. Procedures for Resolving Questions between the School and Parents/Guardians Regarding Administration of Medications

(Refer to approved existing policies within the school district for the resolution of differences, if appropriate.)

X. Policy Review and Revision

Review and revision of these policies and procedures shall occur as needed but at least every two years.

Approved by School Physician: _____

Signature

Date _____

Approved by School Nurse: _____

Signature

Date _____

Date Approved by the School Committee: 5/15/17

Date Registered by the Massachusetts Department of Public Health for Approval to Delegate to Unlicensed Personnel, if applicable:

Date

Approved: Dec. 8, 1997

Amended: June 19, 2000

Amended: Nov. 21, 2005

Amended: Jan. 14, 2008

Amended: March 15, 2010

Amended: April 8, 2013

Amended: May 15, 2017

I. Purpose and Scope

In order to minimize the incidence of life-threatening allergic reactions, the Berkley Public Schools (BPS) will maintain a system-wide procedure for addressing life-threatening allergic reactions and maintain an Emergency Care Plan/504 for any student whose parent/guardian and physicians have informed the school in writing that the student has a potentially life-threatening allergy.

II. Procedures for Implementing Life-Threatening Allergy Policy at BPS:

- A. Provide life-threatening allergy awareness information to all school employees.
- B. The use of food provided by staff in the classroom setting during the school day will be restricted to foods approved by the principal and school nurse with at least a 24 hour notice. Foods that are not approved with advance notice may not be utilized.
- C. Foods brought to the classroom by other students for classroom treats (i.e. classroom celebrations, etc.) will be checked and approved by the school nurse.
- D. Parents of students with food allergies are encouraged to supply alternative snacks for their child (to be stored in the nurse's office) in the event that an unapproved classroom treat is brought to the classroom by another student.
- E. The principal or designee in each school will implement a "no food/utensil sharing or trading" practice, with particular focus at the elementary school level.
- F. School staff are not responsible for implementing the Life-Threatening Allergy Policy and related protocols and procedures during school-sponsored events beyond the school day that are open to the public (e.g. school athletic contests, or ceremonies) or programs/events on BPS property that are sponsored by various staff, parent, community or private groups. School nurses are not available after school hours.
- G. With parent/guardian consent, information about the student's life-threatening allergy will be shared with authorized school personnel. Staff will be reminded that all medical information is confidential and shared on a need-to-know basis.
- H. No food containing peanuts or tree nuts will be served in the cafeteria at the elementary school level. Pre-packaged foods may be sold in the "snack shack" only at the middle school level, with appropriate labeling clearly visible.

III. Employee Training on the Administration of Epinephrine by Auto Injector to Individuals Experiencing Life-Threatening Allergic Reactions

- A. In accordance with 105 CMR 210.000, BPS is registered with the Massachusetts Department of Public Health (MDPH) to train unlicensed personnel to administer

epinephrine by auto-injector to individuals with diagnosed life-threatening allergic events.

- B. As recommended by the MDPH, BPS will have a written protocol signed by the school physician authorizing any registered nurse employed by BPS to administer epinephrine by auto-injector to previously undiagnosed individuals who experience their first life-threatening allergic event in the school setting. Stock supplies of epinephrine will be provided by BPS and maintained by each school nurse in each school.

IV. Policy Review and Revision

Review and revision of these policies and procedures shall occur as needed but at least every two years.

Approved by School Nurse: Patricia Bernard Date: 6/8/15

Date approved by School Committee: 6/8/15

Date Registered by the Massachusetts Department of Public Health for the Approval to Delegate to Unlicensed Personnel: yearly

Adopted: June 8, 2015

Amended: April 11, 2016

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 in school or involved in extracurricular athletic activities² 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 on a yearly basis: coaches, volunteers, school and team physicians, school nurses, athletic directors, physical education teachers, employees or volunteers, and students who participate in an extracurricular activity and their parents.

Under 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 (3) 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,
5. Graduated re-entry plans for return to full academic and 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.

² 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, cheerleading, 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, dodgeball, sportsmania, water polo, wrestling, etc.. All interscholastic athletics are deemed to be extracurricular athletic activities.

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 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 Post 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 will 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 ref: MGL 111:222; 105 CMR 201.000

ATHLETIC CONCUSSION REGULATIONS

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. An 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.

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 to 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.

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/blurred vision, sensitivity to light (photophobia), sensitivity to noise, feels sluggish, feels foggy, problems concentrating, problems remembering, trouble sleeping/excess sleep, dizziness, sadness, seeing stars, vacant stare/glassy eyed, nervousness, irritability, inappropriate emotions.

If any of the above signs or symptoms is 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 health care professional.

MANAGEMENT AND REFERRAL GUIDELINES:

1. When an athlete loses consciousness for any reason, the coach should immediately call EMS, check ABC's and do 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 Emergency Action Plan (EAP). Worsening signs and symptoms requiring immediate physician referral include: amnesia lasting longer than 15 minutes, decrease or irregularity of respiration, decrease or irregularity in pulse, increase in blood pressure, unequal, dilated or unreactive pupils, any signs or symptoms of associated injuries, spine or skull fracture, or bleeding; worsening headache, vomiting, seizures,

looks very drowsy or can't be awakened, slurred speech, can't recognize people or places, increase confusion or irritability, weakness or numbness in arms or legs, neck pain, unusual behavior changes, significant irritability, changes in vision or eye movements.

3. Any athlete who is symptomatic but stable is allowed to go home with his/her parent/guardian following the head injury.
 - a. If the head injury occurs at practice, parent/guardian will immediately be notified and must come to pick up the student athlete.
 - b. If the injury occurs at a game or event the student athlete may go home with the parent/guardian.
 - c. Parent/guardian will receive important information regarding signs and symptoms the student athlete exhibited as well as return to play requirements.

RETURN TO PLAY REQUIREMENTS:

1. Athlete is symptom free for 24 hours. Athlete is asymptomatic at rest and exertion (including mental exertion with workload). A release signed by a licensed medical provider must be presented prior to participation in any athletic/physical education activity.

SCHOOL NURSE RESPONSIBILITIES:

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

SCHOOL RESPONSIBILITIES:

1. Review and if necessary revise the concussion policy every two years.
2. Once the school is informed of the student's concussion, a contact or "point person" should be identified (e.g. 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.

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, and concussion history 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 or coaches and reviewed by the coach, school nurse and/or school physician.
7. Inform parent/guardian that, if all necessary forms are not completed, their child will not participate in athletic extracurricular activities.

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 online training on concussions and return certificate of completion to the athletic department. Online Training Course & Test Website address is:
http://www.cdc.gov/concussion/HeadsUp/online_training.html
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: loss of consciousness, headache, dizziness, lethargy, difficulty concentrating, balance problems, answering questions slowly, difficulty recalling events, repeating questions, irritability, sadness, emotionality, nervousness, 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 complete and on file with the athletic department.

STUDENT AND STUDENT ATHLETE RESPONSIBILITIES:

1. Return required concussion history form prior to participation in athletics.
2. Participate in online concussion training and education and return certificate of completion to the athletic department prior to participation in athletics.
3. Report all symptoms to athletic director and/or school nurse.
4. Follow recovery plan:
 - rest, no athletics, be honest, keep strict limits on screen time and electronics,
 - don't carry books or backpacks that are too heavy,
 - tell your teachers if you are having difficulty with your class work,
 - see the school nurse for pain management, return to sports only when cleared by physician, follow Gradual Return to Play Guidelines.
5. Report any symptoms to the school nurse and parent/guardian if any occur after return to play.
6. Return medical clearance form to athletic director and/or school nurse prior to return to play.
7. Students who do not complete and return all required training, testing and forms will not be allowed to participate in sports.

COACH 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 returned concussion history and health history form prior to participation in athletics.
3. Complete a head injury form if their player suffers a head injury at an athletic event. This form must be shared with the athletic director and school nurse.
4. Ensure all students have completed concussion educational training and returned their certificate of completion prior to participation in athletics.
5. Remove from play any student athlete who exhibits signs and symptoms of a concussion.
6. Do not allow student athletes to return to play until cleared by a physician.
7. Refer any student athlete with returned signs and symptoms back to physician.
8. Any coach for extracurricular activities shall not encourage or permit a student participating in the activity to engage in any unreasonably dangerous athletic

techniques that unnecessarily endangers the health of a student athlete, including using a helmet or any other sports equipment as a weapon.

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 neuro-cognitive 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 ears), fatigue, irritability, frustration, difficulty coping with daily stress, impaired memory or concentration, eating and sleeping disorders, behavioral changes, alcohol intolerance, decrease in academic performance, depression, visual disturbances.

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.

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, and school personnel. Every year student athletes and parents will participate in educational training on concussions and complete a certificate of completion. Berkley Public Schools will provide educational training on concussions to all students in grades five through eight on a yearly basis. This training may

include: CDC Heads-Up Video Training or training provided by the school district (http://www.cdc.gov/concussion/HeadsUp/online_training.html).

The school district also may offer seminars, speakers, and discussion panels on the topic of concussions. Seminars offer an opportunity for the 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 health care professional.

Adopted: Feb. 13, 2012
Amended: May 11, 2015
Amended: May 15, 2017

Berkley Public Schools

STUDENT ACTIVITY ACCOUNTS

Policy #6400

Student funds may be raised to finance authorized student activities. Student activity funds are considered a part of the total fiscal operation of the district and are subject to policies established by the School Committee and the Office of the Superintendent. The funds shall be managed in accordance with sound business practices which include accepted budgetary accounting practices and in compliance with Massachusetts General Law Chapter 71, Section 47. The School Committee:

1. authorizes the principal/designee to accept money for recognized student activity organizations which currently exist or as from time-to-time may be revised,
2. funds received from fundraising activities may be used at the principal's discretion,
3. authorizes the town treasurer to establish and maintain a Student Activity Checking Account which is to be audited as part of the school department's annual audit. The interest that is earned on such account shall be maintained in the agency account and distributed annually among the Student Activity Checking Account as directed by the regulations established by School Committee policy,
4. authorizes Student Activity Checking Account for use by the principal with specific maximum balances established for each school by School Committee policy. The maximum balance in the checking account for each school shall be \$7,500.
5. requires a second signature of the business administrator on all checks issued from the Student Activity Checking Account in an amount of \$500 or more and on all reimbursement checks written to the principal.
6. requires the account be internally audited by the business administrator and by an independent audit firm annually.

For accounts with limits that exceed \$25,000 the Massachusetts Department of Elementary & Secondary Education recommends districts consider an audit conducted by an outside accounting firm every two to three years.

Graduating Class Funds

Funds held on behalf of graduating classes are to be held within the Student Activity Checking Account for the middle school. Such funds shall be designated by the class' Year of Graduation.

Once a class has graduated from the middle school, their funds should be removed from the middle school Student Activity Checking Account no later than two years from the date of graduation. It is the responsibility of the class officers and business administrator to arrange for

these funds to be removed from the middle school Student 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 or business administrator not request to have their funds removed from the Student Activity Checking Account within two years of their graduation, 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 and business administrator should be given a copy of this policy 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 that the activity account 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.

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

NOTE: DESE audit guidelines for Student Activity Checking Accounts require an annual audit. 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.

Approved: March 18, 2002

Reviewed: Dec. 6, 2007

Amended: June 8, 2015

Amended: Oct. 22, 2018

Berkley Public Schools

CUSTODIAL & NON-CUSTODIAL PARENT RIGHTS AND RESPONSIBILITIES

POLICY #6425

- 6425.1 When parents of a student are separated, involved in divorce proceedings, or are divorced, the building principal will respect the rights of custodial and non-custodial parents equally except when a court order exists concerning special restrictions. It is the responsibility of the custodial parent to provide the principal with a certified copy of such a court order, if restricted access to students or student information is requested.
- 6425.2 Parent rights include: access to student records and mailings, attendance at parent/teacher conferences, Individual Educational Program (IEP) meetings, and to request that a student be dismissed or to verify an absence from school.
- 6425.3 It is the responsibility of the non-custodial parent to inform the school office of his/her name, address, and telephone number if they wish to be consulted regarding their child or wish to be placed on the school's mailing list.
- 6425.4 As required by G.L. Ch. 71, Sec. 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Education Regulations. The school district will follow the law recommended by the Massachusetts Department of Elementary & Secondary Education to standardize the process by which public schools provide student records to the parent who does not have physical custody of their children ("non-custodial parents"). A parent's right of access to the student record may be limited by court order.

Adopted: November 9, 1992

Amended: April 14, 2003

Reviewed: Dec. 6, 2007

Amended: May 11, 2015

Berkley Public Schools

STUDENT INFORMATION, COMMUNICATIONS AND SOLICITATIONS

Policy #6450

The Berkley school district shall not be used to collect or disseminate information that is not directly pertinent to the education of the students.

There shall be no solicitation or canvassing of students by organizations not affiliated with the Town of Berkley, unless approved by the school committee.

No employee may release name and address lists of students to persons outside the school, unless the Superintendent has authorized it.

Adopted: May 8, 1973
Reviewed: Dec. 6, 2007
Amended: March 10, 2014
Revised: June 8, 2015

Berkley Public Schools

STUDENT FUND-RAISING ACTIVITIES

Policy #6460

- 6460.1 Public schools, as an integral part of the community, can properly participate in fund-raising activities to support charitable causes and vital community organizations and programs. Problems arise, however, in deciding which of many causes should be supported and how much time can be devoted to these efforts.
- 6460.2 An individual class or school club, with the approval of the principal, may support a worthwhile community or service project or fund-raising effort.
- 6460.3 Any school-wide or school district-wide participation in fund-raising drives for charitable purposes must be approved by the school committee. On the basis of requests received from community groups and organizations and information given by students and staff who have interest in these drives and organizations – and bearing in mind the limitations of time and resources and the dangers of "over-involvement". The superintendent will make specific recommendations to the school committee.
- 6460.4 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.
- 6460.5 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. The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation.
- 6460.6 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 Superintendent 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.
- 6460.7 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).

- 6460.8 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.
- 6460.9 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.
- 6460.10 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.
- 6460.11 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.
- 6460.12 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;

SOURCE: MASC February 2018

Adopted: May 8, 1973
Amended: May 15, 2000
Amended: May 17, 2004
Reviewed: Dec. 6, 2007
Reviewed: Nov. 2, 2015
Amended: April 9, 2018
Reviewed: Jan. 24, 2019

Berkley Public Schools

CONTESTS AND PUBLIC PERFORMANCES FOR STUDENTS

Policy #6461

- 6461.1 The schools may cooperate with community organizations and agencies desiring to sponsor activities in the District when they keep with the purposes and educational aims of the school. Such activities must be integrated into the school program without disruption or loss of instructional time for students and without imposing an unreasonable added work load on school staffs. Involvement in contests shall be approved by the Principal.
- 6461.2 Public Performances by students, individually or in groups under the auspices of the school, shall be under the control of the principal of the school and consistent with the rules approved by the superintendent. These performances shall include participation in parades and civic events, as well as student and school-initiated activities such as plays and concerts.

Adopted: May 8, 1973
Amended: May 15, 2000
Reviewed: Dec. 6, 2007
Amended: April 11, 2016

Berkley Public Schools

**SCHOOL SYSTEM AUTHORITY OVER EXTRA-CURRICULAR ACTIVITIES ASSOCIATED WITH
SCHOOL DEPARTMENT Policy #6462**

1. Any extra-curricular activity for students of the Berkley Public Schools such as, but not limited to, dances, class trips, and fundraisers, which uses the school's name, grade designations, facilities, or student distribution network, shall be considered a school-related extra-curricular activity.
2. All school-related extra-curricular activities must have the authorization and approval of the principal of the school whose students are involved in the activity. In the event that students of more than one school are affected, the Superintendent shall have authority to grant such approval.
3. Field trips in any way organized through the school, using grade designations or the name of the school, must follow Policy #5530 and #5531 governing Field Trips.
4. Students attending private schools will not be allowed to participate on Berkley Public Schools' sports teams or attend extracurricular activities such as field trips, dances, after-school activities, etc.

Approved: December 15, 2003

Amended: April 12, 2004

Reviewed: December 6, 2007

Amended: January 9, 2012

Reviewed: March 1, 2016

Berkley Public Schools

GIFTS AND GIFT EXCHANGES

Policy #6470

- 6470.1 Elaborate gifts by parents or students to school personnel are to be discouraged. Letters to staff members are always welcome and are considered more appropriate than gifts as a means of expressing gratitude and appreciation.
- 6470.2 Any action or comment by an individual which might be interpreted as an invitation for a gift of any nature is highly unethical and is strongly disapproved. At no time should a gift be used in any way to bring embarrassment to pupils or teachers.
- 6470.3 Principals are responsible for promulgating this policy to parents, teachers, and students through appropriate bulletins and announcements (especially during the fall semester).

Adopted: May 8, 1973
Reviewed: Dec. 6, 2007
Amended: April 11, 2016

Berkley Public Schools

GUIDELINES FOR DRESS CODE

POLICY #6540

Any code for dress and grooming should be arrived at cooperatively through open discussion among students (as appropriate), teachers, and administrators. The following are guidelines set forth by the school committee for a dress code that will be developed, adopted, and put into operation at the school level.

- 6540.1 A student's hairstyle and dress are fundamentally matters for decision by the student and his/her parents.
- 6540.2 A student has the freedom to wear buttons, armbands, or similar insignia to express a point of view. Such symbols should not mock or ridicule another individual or a group.
- 6540.3 Specific regulations should be set if there is a "clear and present danger" to the safety of the student in a particular school situation. (Excessively long hair or loose clothing pose a danger for a student in a shop equipped with power tools.)
- 6540.4 Hair and grooming styles which actually create a disruption in the education program should be controlled.
- 6540.5 Articles of clothing which tend to mark, scratch or mar furniture or floors may not be permitted. (Two examples are boots with cleats and trousers with metal rivets.)
- 6540.6 The School Committee is interested in encouraging students to dress appropriately for school. It reserves the right to review dress codes cooperatively conceived at the school level.
- 6540.7 Present dress and grooming codes for Berkley dictate that dress and grooming are a matter of parental discretion, but it should be such that it does not interfere with the educational process of other students.
- 6540.8 The principal may ban dress that is inappropriate for health or safety reasons and/or disruptive to the educational process.

Adopted: May 8, 1973
Amended: May 17, 2004
Reviewed: Dec. 6, 2007
Amended: April 11, 2016

Berkley Public Schools

BAN ON CORPORAL PUNISHMENT

POLICY #6600

- 6600.1 No teacher, other employee, or agent of the school committee shall inflict corporal punishment on any pupil.
- 6600.2 The power of the school committee or of any teacher or other employee or agent of the school committee to maintain discipline upon school property shall not include the right to inflict corporal punishment upon any pupil.³
- 6600.3 Nothing in this policy precludes any teacher, employee, or agent of a public education program from using reasonable force to protect students, and other persons or themselves from assault or imminent, serious, physical harm.

Adopted: May 8, 1973
Amended: May 17, 2004
Reviewed: Dec. 6, 2007
Reviewed: Feb. 2, 2016

³ General Laws, Chapter 71, Section 37G

Berkley Public Schools

SCHOOL DISCIPLINE

Policy #6640

The Berkley Public Schools aims to prepare students for full, active, and responsible participation as American citizens. Thus, personal or public irresponsibility has no place in our school community.

In order to develop future citizens, all students must participate in the learning process. A sound discipline program is essential to this development.

At the discretion of the principal, other guidelines pertaining to each category of the School Discipline Policy may be added to the Student Handbook with notice to the School Committee.

The following Category I student actions or attitudes are irresponsible and will be resolved on a Teacher/Student basis:

1. To fail to follow homeroom, classroom, playground, cafeteria and/or general school rules,
2. To fail to submit assignments or be prepared for class,
3. To disturb or distract others from learning,
4. To refuse constructive criticism from a teacher,
5. To be inattentive to classroom instruction,
6. To be rude and/or discourteous to teachers, school personnel, or fellow students,
7. To cheat/forged,
8. To fail to carry out reasonable requests from teachers or school personnel,
9. To misuse school property, materials or resources.

We expect teachers to inform and discuss these infractions with a pupil. Make-up work or detention after school (provided transportation is arranged) may be used to resolve these problems. We expect teachers to notify parents of a student's misbehavior by phone, e/mail and/or conference. We request that teachers keep a log detailing their efforts for resolving problems with students.

The following Category II acts are considered serious breaches of conduct and will be resolved on a Teacher/Principal/Student basis:

1. To harass, bully, and/or intimidate other students (see the district's Anti-Bullying Policy #6650),
2. To use abusive language,
3. To leave class without permission,
4. To fight and/or rough house,
5. To fail to report to detention,
6. To disrupt assemblies, class trips, extra-curricular activities, and/or social functions,
7. To create a disturbance that results in a hall monitor referral,

8. To tamper with computer hardware and/or software,
9. To throw food or other objects,
10. To possess or use smoking materials or other tobacco products,
11. Truancy,
12. Conduct requiring removal from a class or assembly,
13. Forgery of assignments/school documents; plagiarism (copying and not giving credit to another's work: internet material, another student's work, etc.),
14. Defiance/failure to cooperate with teachers/staff,
15. Inappropriate behavior toward staff or students,
16. Found in unauthorized area/unauthorized use of elevator,
17. Violation of the "Acceptable Use of Technology/Digital Resources" Policy.

Once these infractions are reported on the specified referral form by the teacher(s) witnessing the act, the Principal or designee will resolve them. The student will be informed by the Principal or designee of the reported act. A discussion between the Principal or designee and the student will take place. Parents will be notified of the infraction.

The following Category III acts are considered very serious breaches of conduct and will be resolved on a Teacher/Principal/Student basis:

1. Theft/extortion,
2. Assault and battery,
3. Use, possession or sale of drugs or alcohol (violation of Policy #6700),
4. Threatening/abusive language and/or gestures toward a staff member,
5. Threatening or using physical harm/harassment/sexual harassment to a student or staff member,
6. Possession or use of a firearm, weapon, fireworks or other dangerous items,
7. Malicious vandalism (plus financial restitution),
8. Leaving school building or grounds without permission,
9. Setting off a false alarm or calling in a bomb scare,
10. Arson,
11. Disturbance of a school assembly,
12. Failure to follow an administrative direction/defiance of authority,
13. Unauthorized opening of a secured outside door,
14. Hazing (General Laws C.269, s. 17-19 [conduct or method of initiation into any student organization which willfully or recklessly endangers the physical or mental health of any student]),
15. Assaulting school personnel,
16. Serious violations of the "Acceptable Use of the Internet" Policy.

Once these infractions are reported on the specified referral form by the teacher(s) witnessing the act, the Principal or designee will resolve them. The student will be informed by the Principal or designee of the reported act. A discussion among the Principal or designee and student will take place. Parents will be notified by either phone, letter, and/or conference.

Students may be assigned to DETENTION in the event that work and/or conduct is less than satisfactory. Parents will be notified. Detention takes precedence over all other school commitments. Failure to report to an assigned detention may result in an office detention. An OFFICE DETENTION will be served in a designated area of the school. Students will spend the time working on academic subjects separated from the other students. Students will be allowed to attend those classes that meet less than three (3) times in the six (6) day cycle, and will be allowed to eat lunch with their class.

IN SCHOOL SUSPENSION assignments will be served in a designated area under the supervision of the Principal or designee. Students will be separated from other students for the specified period of time. Students will complete their class work during this time. Students will not be allowed to participate in extracurricular activities until the suspension is complete.

OUT OF SCHOOL SUSPENSION assignments will be served away from school under the supervision of the student's parents. Students will be allowed to make up all missed work. Students will not be allowed to participate in extracurricular activities until the suspension is complete.

IDEA Regulations

Under the IDEA reauthorization, additional provisions must be implemented for students found to be eligible for special education services and have an Individualized Educational Plan (IEP).

Any time the school wishes to remove a child with an IEP from his or her current educational placement for more than ten (10) consecutive school days in any school year, or for more than ten cumulative days when a pattern of removal is occurring, this constitutes a "change of placement". A change of placement invokes certain procedural protections under the IDEA, the federal special education law. These include the following:

- a. Prior to any removal that constitutes a change in placement, the school district must convene a Team meeting (parents always have the right to participate as a member of the Team) to develop a plan for conducting a functional behavioral assessment that will be used as the basis for developing specific strategies to address the problematic behavior. If a behavior intervention plan has been previously developed, the Team shall review its implementation and modify if necessary.
- b. Prior to any removal that constitutes a change in placement, the school district must send parent/guardian a full statement of procedural rights (Parents' Rights Brochure) and inform you that the Team will consider whether or not the behavior that forms the basis for the removal is related to the student's disability. This consideration is called "manifestation determination".

The Team considers evaluation information, observational information, the student's IEP and placement and must determine whether the behavior prompting the disciplinary removal was a manifestation of the student's disability.

If the Team determines that the behavior was related to the child's disability, then the student may not be removed from the current educational placement (except in the case of weapon or drug possession or use) until the IEP team develops a new IEP and decides upon a new placement and there is parent consent to the new IEP and placement.

If the Team determines the behavior was not related to the student's disability, then the school may suspend or otherwise discipline a student according to the school discipline policy, except that for any period of removal exceeding ten days, the school district must provide a student with a Free Appropriate Public Education (FAPE). The school district must determine the educational services necessary for the FAPE and the manner and location for providing those services.

Federal Special Education Regulations 34 CFR ~300.519 – 300.529

NOTES:

If the designated person in charge in the absence of the Superintendent and/or Principal or designee deems it necessary to suspend a student from school, an attempt to contact the Superintendent and/or Principal or designee shall be made before such action is taken. The Superintendent will be informed of all cases of suspension and drug-related problems.

In cases of in-school and/or out-of-school suspension, parents will be notified by letter.

Adopted: June 20, 1990
Amended: November 9, 1992
Approved: August 8, 1994
Approved: November 15, 1999
Approved: November 19, 2001
Approved: Nov. 15, 2004
Reviewed: Jan. 3, 2008
Amended: Nov. 17, 2010
Amended: April 11, 2016

ADDENDUM TO BERKLEY PUBLIC SCHOOLS DISCIPLINE POLICY

As part of the Massachusetts Education Reform Act of 1993, the following provisions are in effect:

- A. Any student who is found on school premises or at school related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or knife; or a controlled substance as defined CH94-C, including, but not limited to marijuana, cocaine, and heroin, may be subject to expulsion from the school or district by the Principal.
- B. Any student who assaults a Principal, Teacher, Aide, or other staff member on school premises or at a school sponsored or school related event, including athletic games, dances, etc., may be subject to expulsion from the school or school district by the Principal.
- C. Any student who is charged with a violation of either paragraph A or B shall be notified in writing of an opportunity for a hearing: providing, however, that the student may have representation, along with the opportunity to present evidence and witnesses at the hearing before the Principal.

After said hearing, a Principal may, at his/her discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph A and/or B.

- D. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of his/her appeal. The student has a right to counsel at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- E. When a student is expelled under the provisions of this section, and applies for admission to another school for acceptance, the Superintendent of the sending school shall notify the Superintendent of the receiving school of the reasons for the student's expulsion.

A. Purpose

Berkley Public Schools is committed to fostering and maintaining a safe and nurturing learning and work environment that encourages mutual respect, dignity and equality and is free from all forms of harassment, intimidation and bullying. The purpose of this policy is to prevent harassment, intimidation and bullying between or among any members of the school community and to offer persons who believe they have been subject to bullying an efficient and effective means by which to end it.

B. Definitions

Bullying, as defined in M.G.L. c. 71, § 370, is the repeated use by one or more students or by a school staff member including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, extracurricular advisor or paraprofessional, of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyber bullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L.c.71, §370 for the legal definition of cyber bullying.

Bullying is the act of one or more individuals intimidating one or more persons through verbal, physical, mental or written interactions including via any electronic media (cyber bullying). This includes student to student, staff to staff, student to staff and staff to student.

Bullying is a major distraction from learning. Bullying of any type has no place in a school setting. The Berkley Public Schools will endeavor to maintain a learning and working environment free from bullying.

Bullying may include, but is not limited to:

- intimidation, either physical or psychological,
- threats of any kind, stated or implied,

- assaults on persons, including verbal, physical, psychological, written and/or emotional,
- attacks on personal property.

C. Scope

This policy applies to all members of the Berkley Public Schools community, staff, students and parents/guardians, while attending school and all extracurricular and school-sponsored activities and events, both on school property and at off-site locations, and during normal school hours.

Bullying in the school building, on school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students and termination for employees.

D. Prevention and Intervention Plan

The Superintendent shall oversee the development of a prevention and intervention plan in consultation with school staff, administrators, parents, volunteers and local law enforcement agencies. The bullying prevention and intervention plan shall be reviewed and updated at least biennially. The Principal(s) are responsible for the implementation and oversight of the prevention and implementation of the plan within his/her school. (See attached)

E. Training and Assessment

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

F. Violations of the Policy

Any person who violates this policy will be subject to appropriate disciplinary action, including but not limited to warnings, reprimands, physical restraint/restrictions, discharge, suspension or expulsion. Any disciplinary action against employees of the school system will be taken in accordance with applicable collective bargaining agreements, state, and federal law. Student's disciplinary action will be in accordance with each school's discipline procedure.

G. Reporting Bullying Incidents

Any person who believes that he or she has been subjected to, or has witnessed acts of intimidation or bullying in the educational environment is encouraged to bring his/her complaint to the immediate attention of an adult or staff member for assistance in resolving the matter.

Complainants are not promised confidentiality; however, the district will enforce the anti-retaliation provisions of this policy to protect complainants and witnesses. The school

system will endeavor to involve as few people as possible, with the goal of protecting all parties involved and stopping the behavior.

Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

H. Anti-Retaliation Provision

Behavior that is interpreted as retaliatory in response to a bullying complaint being filed is in violation of this policy and subject to the same reporting and investigative procedures as the initial complaint. Filing of false reports is also in violation of this policy. Persons found to be filing false reports of bullying or harassment will be subject to disciplinary action.

I. Resolving Complaints of Bullying

All complaints will be investigated by the assistant principal, principal and/or superintendent. All appropriate steps will be taken to resolve the complaint. Disciplinary action will be in accordance with each school's discipline procedure.

Adopted: April 12, 2010

Amended: Nov. 17, 2010

Reviewed: March 1, 2016

Amended: May 13, 2019

Att: Bullying Prevention and Intervention Plan

BERKLEY PUBLIC SCHOOLS (BPS)
Bullying Prevention and Intervention Plan

I. LEADERSHIP

School leaders play a critical role in developing and implementing Bullying Prevention and Intervention Plans (“the Plan”) to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference.

Public Involvement

As required by M.G.L. c. 71, § 37O, this Plan has been developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. Consultation included notice and a public comment period before the Plan was adopted by the school committee.

Assessing Needs and Resources

The Plan is the district’s blueprint for enhancing capacity to prevent and respond to issues of bullying. As part of the planning process, school leaders, with input from families and staff, assessed the adequacy of current programs; reviewed current policies and procedures; reviewed available data on bullying and behavioral incidents; and assessed available resources including curricula, training programs, and behavioral health services.

Planning and Oversight

School leaders will 1) receive reports on bullying; 2) collect and analyze school-wide data on bullying to assess the present problem and measure improved outcomes; 3) create a process for recording and tracking incident reports for accessing information related to targets and aggressors; 4) plan for the ongoing professional development that is required by the law; 5) respond to the needs of targets and aggressors; 6) choose and implement the curricula that the school will use; 7) revise current policies and protocols under the Plan, including an Internet Safety Policy, and designate key staff to be in charge of implementation of them; 8) amend student and staff handbooks and codes of conduct; 9) lead the parent or family engagement efforts and draft parent information materials; and 10) review and update the Plan each year, or more frequently.

Priority Statement

Berkley Public Schools is committed to fostering and maintaining a safe and nurturing learning and work environment that encourages mutual respect, dignity and equality and is free from all forms of harassment, intimidation and bullying.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

In accordance with M.G.L. c. 71, § 37O BPS will provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and

paraprofessionals. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal/designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

Ongoing Professional Development

Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school-wide and district-wide professional development will be informed by research and will include information on: developmentally appropriate strategies to prevent and/or stop bullying; information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying; research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; information on the incidence and nature of cyber bullying; and Internet safety issues as they relate to cyber bullying. Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Written Notice to Staff

BPS will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the employee handbook and the code of conduct.

III. ACCESS TO RESOURCES AND SERVICES

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed. In order to enhance the school's or district's capacity to prevent, intervene early, and respond effectively to bullying, available services reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and aggressors.

Resources, Counseling and other Services

BPS will provide school-based interventions and other services as needed for targets, aggressors, and their families.

Students With Disabilities

As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

Referral to Outside Services

BPS will follow established protocols for referring students and families to outside services.

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

An age-appropriate instruction on bullying prevention in each grade has been incorporated into the school's curricula.

Bullying prevention curricula will emphasize the following approaches: using scripts and role plays to develop skills; empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance; helping students understand the dynamics of bullying and cyber bullying, including the underlying power imbalance; emphasizing cyber safety, including safe and appropriate use of electronic communication technologies; enhancing students' skills for engaging in healthy relationships and respectful communications; and engaging students in a safe, supportive school environment that is respectful of diversity and difference. The Plan will be reviewed with each student on a yearly basis.

The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities.

Communication With Parents

We provide information to parents on the dynamics of bullying, cyber bullying and online safety through parent meetings and posting information and links on the district and schools' websites.

V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

Any person who believes that he or she has been subjected to, or has witnessed acts of intimidation or bullying in the educational environment is encouraged to bring his/her complaint to the immediate attention of an adult or staff member for assistance in resolving the matter.

Complainants are not promised confidentiality; however, the district will enforce the anti-retaliation provisions of this policy to protect complainants and witnesses. The school system will endeavor to involve as few people as possible, with the goal of protecting all parties involved and stopping the behavior.

The district Incident Reporting Form is attached.

At the beginning of each school year, the school will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal/designee, will be incorporated in student and staff handbooks, on the school and district websites, and in information about the Plan that is made available to parents or guardians.

Reporting

A staff member will report immediately to the principal/designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal/designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal/designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal/designee.

Responding to a report of bullying or retaliation

Before fully investigating the allegations of bullying or retaliation, the principal/designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The principal/designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal/designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

Obligations to Notify Others

Upon determining that bullying or retaliation has occurred, the principal/designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it.

There may be circumstances in which the principal/designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Notice to Another School or District

If the reported incident involves students/persons from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal/designee first informed of the incident will promptly notify by telephone the principal/ designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

Notice to Law Enforcement

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal/designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal/designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor. In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal/designee deems appropriate.

Investigation

The principal/designee will investigate promptly all reports of bullying or retaliation and, in doing so; will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. During the investigation the principal/designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal/designee (whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations.

Determination

The principal/designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal/designee will take steps to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal/designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary. Depending upon the circumstances, the principal/designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal/designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal/designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

Responses to Bullying

1. Teaching Appropriate Behavior Through Skills-building

Upon the principal/designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal/designee may consider include:

- offering individualized skill-building sessions;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

2. Taking Disciplinary Action

If the principal/designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal/designee, including the nature of the

conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the school's discipline procedure.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal/designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The principal/designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal/designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal/designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal/designee will work with appropriate school staff to implement them immediately.

VI. PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyber bullying, are prohibited: (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

VII. DEFINITIONS

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below.

Aggressor is a student or staff member who engages in bullying, cyber bullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or by a school staff member including, but not limited to, an educator, administrator, school nurse,

cafeteria worker, custodian, bus driver, athletic coach, extracurricular advisor or paraprofessional, of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyber bullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L.c.71, §37O for the legal definition of cyber bullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

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

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyber bullying, or retaliation has been perpetrated.

VIII. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or District from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

LEGAL REF: BESE CMR 26:00

Adopted: November 17, 2010

Amended: January 9, 2012

Amended: Nov. 5, 2012

Reviewed: March 1, 2016

Amended: May 13, 2019

BERKLEY PUBLIC SCHOOLS
INCIDENT REPORTING/COMPLAINT FORM

1. Name of Reporter: _____

2. Check whether you are the:
Target (of the behavior): Reporter:

3. Check whether you are a:
 Student Staff Member Other (specify)

 Parent Administrator

3A. Provide Your Contact Information/Tel. No:

4. State your school: Berkley Community School Berkley Middle School

5. Information about the Incident:

Name of Target (of behavior): _____ **Check whether:**
Staff Other Student

Name of Subject of Report/Complaint: _____ Student
Staff Other

Date(s) of Incident: _____

Time When Incident(s) Occurred: _____

Incident Location (be as specific as possible):

6. Witnesses: (List people who saw the incident or have relevant information about the incident):

Name: _____ Student Staff Member Other

Name: _____ Student Staff Member Other

12. Additional Follow Up Needed: Y/N

Berkley Public Schools

POSSESSION, USE OR SALE OF DRUGS &/OR ALCOHOL

Policy #6700

- 6700.1 The school environment is the place in which intelligence, capabilities, and skills are developed and enhanced. Physical and psychological dependence upon chemical substances creates health problems and is counterproductive to the goals of education. Frequent use of any drug results in impaired performance. The use, possession, or sale of illegal drugs or alcohol cannot be permitted as it undermines the educational process.
- 6700.2 It is the mission of this policy to establish our commitment to maintaining healthy growth and development in our students and to preserve the quality of our educational environment.
- 6700.3 The policies established herein apply to students attending any school-supported activity or event on or off school grounds.
- 6700.4 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 grade 7. Parents/guardians shall be notified prior to the opening of school each year. Parents/guardians shall have the right to opt out of the 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.
- 6700.5 The school will provide, without penalties, assistance to any student who voluntarily seeks drug and alcohol treatment or advice. If a student voluntarily seeks information or assistance about illegal substance use and has not been apprehended for any violations, the school staff will take the following action:
- a. immediately develop a treatment plan including in-school and community resources,
 - b. involve parents as soon as it is considered to be appropriate,
 - c. give student the opportunity to make up any school work that is missed.
- 6700.6 A Crisis Intervention Team consisting of school personnel, parents, and the student will be convened on a case-by-case basis to:
- a. clarify the problems that are interfering with the student's education,
 - b. describe relevant school policies and procedures that might have an impact on a student if this plan is not followed,
 - c. develop a plan to address these problem areas.

- 6700.7 If a student voluntarily confides a drug/alcohol problem to a staff member, the following steps will be taken on a confidential basis to develop a treatment option:
- a. the staff member should refer the student to the principal,
 - b. the school nurse may be involved if physical symptoms are suspected,
 - c. no disciplinary action will be taken,
 - d. refer to Student Services, if necessary,
 - e. obtain parental involvement as soon as deemed appropriate.
- 6700.8 If a student is suspected of being under the influence of drugs or alcohol, although no substance (contraband) is found:
- a. the school nurse will be notified to assess potential medical risk,
 - b. a designated administrator will notify parents to take the student home,
 - c. administrators, parents and the student will hold a conference to develop background information and treatment options,
 - d. the primary focus of intervention is medical evaluation, parental involvement, in-house team meeting, and counseling.
- 6700.9 When a student is found to be in the presence of other students using or distributing substances:
- a. a staff member will notify the designated administrator,
 - b. the administrator informs parents of the student's involvement,
 - c. refer the student to a counselor for further exploration,
 - d. possible disciplinary action of suspension for up to five (5) days may occur at the discretion of the administrator.
- 6700.10 When a student is found to be in possession of drugs or alcohol,
- a. a staff member will notify the designated administrator,
 - b. the administrator informs the parents of the student's involvement,
 - c. police will be immediately notified. (Any drugs found must be turned over to a police officer.)
 - d. there will be referral to Student Services for follow-up counseling,
 - e. the student will be suspended for up to ten (10) days,
 - f. there will be a Crisis intervention Team meeting with parents, police, administration and the student,
 - g. re-admission to the school may be contingent upon a request from a physician regarding the student's fitness to continue his/her studies.
- 6700.11 When a student is found selling or distributing drugs:
- a. a staff member will notify the designated administrator,
 - b. the administrator informs the parents of the student's activity,
 - c. referral will be made to Student Services,
 - d. Police will be immediately notified. (Any drugs found must be turned over to a police officer.)

- e. the student will be suspended for up to ten (10) days,
- f. there will be a Crisis Intervention Team meeting with parents, police, administration and the student. There will be a staff meeting during the suspension period to discuss the student's behavior/problem and to consider recommendation and treatment.
- g. readmission to school may be contingent upon a hearing with documented successful treatment from community substance abuse treatment services.

6700.12 The above procedures are applicable for students in grades P-8 in the Berkley School Department. Repeated violations of the drug and alcohol policies by a student will be referred to the Crisis Intervention Team. The team, after evaluation, will make recommendations to the Superintendent of Schools for appropriate action.

6700.13 This policy shall be posted on the district's website and notice shall be provided to all students and parents 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.

Legal Refs: MGL 71:2A, 71:96, 71:97, 272:40A

Reference:

Memorandum of Understanding between Berkley School Department & Police Department.

Adopted: Dec. 14, 1992

Reviewed: Jan. 3, 2008

Amended: April 11, 2016

Amended: Dec. 12, 2016

Amended: April 9, 2018

Reviewed: Jan. 24, 2019

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Berkley Public Schools

TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS

POLICY #6710

In accordance with state and federal law, the District shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention educational seminars in grades 5-8.

The alcohol, tobacco, and drug prevention educational seminars shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The educational seminars 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 the educational seminars, 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 instructional materials and outcomes presented in the educational seminars shall be approved by the Superintendent.

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.

Adopted: Oct. 17, 2016

SOURCE: MASC March 2016

LEGAL REFS.: M.G.L. 71:1 ;71:96

CROSS REFS: Substance Abuse Policy #8715

Possession, Use, or Sale of Drugs &/or Alcohol Policy #6700

Berkley Public Schools

PROHIBITING HAZING

Policy #6720

In accordance with MA 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 Superintendent of Schools, be suspended from school for up to ten (10) school days.

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

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

Source: MASC

Legal Ref: M.G.L. 269: 17-19

Adopted: Jan. 8, 2018

Berkley Public Schools

PREGNANT STUDENTS

Policy #6740

- 6740.1 School-age mothers, unless they receive adequate assistance, might drop out of school without acquiring the necessary education or without marketable skills.
- 6740.2 The student and her physician, in cooperation with the school staff, will develop an appropriate educational plan if it is agreed she should no longer attend school regularly.
- 6740.3 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 delivery is encouraged; and that every opportunity to complete high school is provided.

Adopted: May 8, 1973
Amended: May 15, 2000
Approved: November 19, 2001
Reviewed: Jan. 3, 2008
Reviewed: Feb. 2, 2016

LEGAL REF.: M.G.L. 71:84

Berkley Public Schools

WELLNESS POLICY

Policy #6755

6755.1 The Berkley Public Schools are committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Therefore, it is the policy of the Berkley Public School District that:

- the school district will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing district-wide nutrition and physical activity policies;
- all students in grades Pre-K through 8 will have opportunities, support, and encouragement to be physically active on a regular basis;
- foods and beverages sold or served at school will meet the nutrition recommendations of the U.S. Dietary Guidelines for Americans;
- qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat;
- schools in our district will participate in available federal school meal program (National School Lunch Program);
- schools will provide physical education to foster physical activity.

In meeting these goals and aligning with the guidelines of the Child Nutrition and WIC Reauthorization Act of 2004, the following nutrition and physical activity areas will be addressed within this policy:

- Wellness Team,
- District Nutrition Guidelines,
- Student Nutrition Guidelines,
- Student Physical Education/Physical Activity Guidelines,
- Health Services.

6755.2 WELLNESS TEAM

A district Wellness Team will be formed to develop, implement, monitor, review and, as needed, revise the Berkley Public Schools Wellness Policy. The Wellness Team will work cooperatively with existing School Advisory Councils.

The Wellness Team will consist of:

- School Administrator,
- District Food Service Director,

- Representatives from each school (to include Physical Education and Classroom teachers),
- School Nurse(s),
- Parent/Guardian/Community Representative.

The Responsibilities of the Wellness Team will include but not be limited to the following:

- serve as resources and implementing the district wellness and physical activity policy,
- work with the Food Service Director to ensure that the nutrition guidelines are observed,
- identify interdisciplinary links between nutrition, physical activity and the general curriculum,
- meet at least once per year to assess effectiveness of the program.

6755.3 DISTRICT NUTRITION GUIDELINES

The Berkley School District will ensure that the food service program will support and promote students' proper dietary habits which contribute to good health and improved academic performance.

Food

Encourage the consumption of whole grains, fresh fruits, vegetables, and dairy products as a means of promoting healthy eating habits.

Beverages

Only reduced and low fat milk, water, and beverages containing 50-100% fruit juices may be sold on school grounds except in the area where the students are not permitted access such as the teacher's room.

6755.4 STUDENT NUTRITION GUIDELINES

The School Lunch Program:

- The full meal school lunch program will continue to follow the USDA Requirements for Federal School Meals Programs.
- The Food Service Director will follow the nutrition guidelines when determining the items in a la carte and "competitive foods" sales.
- Each student regardless of circumstances will be provided a lunch.
- Breakfast will be available to students at the Berkley Middle School.

Cafeteria Environment:

Our cafeteria environment will continue to provide students with a relaxed, enjoyable climate. Our cafeteria environment is a place where students have:

- adequate space to eat with clean and pleasant surroundings,
- adequate time to eat meals,

- convenient access to hand washing or hand-sanitizing facilities before meals.

The Food Service Director will comply with all standard operating procedures as recommended by the USDA, with regard to food safety.

Parent/Community Nutrition & Physical Activity Education:

- Nutrition education materials will be disseminated via school newsletters, lunch menus, PTO activities, etc.
- School facilities will be available for wellness initiatives.

Staff Nutrition & Physical Activity Education:

With the purpose of:

- encouraging all school staff to improve their own personal health and wellness,
- building the commitment of staff to promote the health of students,
- building the commitment of staff to help improve the school nutrition and physical activity environment,
- making school facilities available for staff wellness initiatives,
- encouraging staff to participate in district wellness initiatives.

6755.5 STUDENT PHYSICAL EDUCATION / PHYSICAL ACTIVITY GUIDELINES

Physical activity is critical to the development and maintenance of good health. Physical activity and physical education programs both contribute to the development of healthy, active students. *Physical activity* will encompass bodily movements of any type and may include recreational, fitness, and sport activities as well as daily activities such as playing at recess, walking to/from school or work, doing yard work, or simply using the stairs instead of the elevator. Thus physical activity minutes may be accumulated through physical education and less structured bouts of physical activity. Regular physical activity is important because it may:

- reduce the risk of obesity, diabetes, and other chronic conditions,
- assist in improved academic performance,
- help children feel better about themselves,
- reduce the risk for depression and other stress-related conditions,
- help prepare students to be productive, healthy members of society,
- improve overall quality of life.

Physical Education Instruction:

The Berkley Public School System acknowledges the state requirements for physical education. The Berkley schools will ensure that the physical education program is supported and viewed as integral to a healthy school environment. A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity should be encouraged in the school's daily education program from grades pre-K through 8.

As mandated in the General Laws of MA, (Chapter 71: Section 3), all students in the Berkley Public Schools are taught physical education as a required subject. The National Association of Sport and Physical Education (NASPE) lists the benefits of a quality physical education program as follows:

- exposes young people to a wide variety of physical activities,
- teaches physical skills to help maintain a lifetime of health and fitness,
- encourages self-monitoring so that young people can see how active they are and set their own goals,
- individualizes activities to student needs, abilities, and interests,
- focuses on the process and personal best rather than product,
- stresses active role modeling.

A quality physical education program provides opportunities, appropriate instruction, meaningful and challenging content. The guidelines for physical education in the Berkley Public Schools are aligned with the standards outlined in the MA Health Frameworks. The Physical Activity and Fitness Standard states that all students will, by repeated practice:

- acquire and refine a variety of manipulative, loco-motor, and non-locomotor movement skills,
- utilize principles of training and conditioning,
- learn biomechanics and exercise physiology,
- apply the concept of wellness to their lives.

Physical education activities are sequential and age appropriate encompassing the following learning standards:

- motor skill development,
- personal and social competency,
- physical skills to help maintain a lifetime of health and fitness.

Physical Activity Opportunities:

In addition to the physical education program physical activity is encouraged through:

- daily recess in grades Pre-K through 4,
- extension and “family fun” physical activities provided through the physical education program,
- theme based movement centers in Pre-K through K,
- Walk For Fitness at lunch time in Grades 5-8,
- extracurricular physical activities programs,
- community use of school facilities for physical activity programs,
- maintenance of outside fields and playgrounds for community use,
- support, participation, and lending expertise for community physical activity events.

6755.6 HEALTH SERVICES

Student Access to a Certified School Nurse:

In order to meet student's physical and emotional needs, the District will provide daily access to an on-site school nurse. School nurses should be registered nurses who have specialization in school nursing. School nurses will:

- maintain confidential health records,
- maintain training and membership on Crisis Team, as safety facilitator,
- identify, refer, and manage student's physical and mental health needs,
- identify opportunities to improve the health and wellness of students, staff, and families through the use of computerized health office data,
- plan for meeting the needs of children with special health care needs in the school setting,
- communicate with school staff to ensure the safety of students with special health care needs,
- conduct preventative screenings,
- act to prevent and control communicable disease,
- provide emergency care of ill and injured,
- provide health and safety education,
- advocate for a safe and healthy school environment,
- refer students and staff to appropriate health related services,
- collaborate with school staff, parents and community members to promote wellness,
- provide oral health services based on the student populations needs,
- require a comprehensive health evaluation for students with frequent or extended absences from school,
- regularly inform students, families, and other community stakeholders about school programs, services and outcome data that are related to health, safety, oral health, and mental health,
- provide resources that help families on matters of: parenting, progression in school, knowledge of child development milestones, and communication with their child or adolescent about relationships, safety, tobacco, alcohol, illicit drugs, sexuality, violence, and diet,
- implement prevention programs that focus on recognition of stressful life situations and interventions to help student deal with these stresses.

Approved: Aug. 21, 2006

Reviewed: Jan. 3, 2008

Amended: Jan. 11, 2010

Amended: April 11, 2016

Berkley Public Schools

USE OF TOBACCO PRODUCTS

Policy #6761

- 6761.1 The use of any tobacco products, including but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, school grounds, or school buses by any individual, including school personnel and students is prohibited at all times.
- 6761.2 This policy shall be promulgated to all staff and students in appropriate handbooks and publications.
- 6761.3 Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.
- 6761.4 Programs of education designed to make students fully informed on the hazards of the use of tobacco products shall be incorporated into the regular curriculum of the schools, when possible
- 6761.5 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 policy.
- 6761.6 Citizens who are observed smoking or using tobacco products on school district property shall be asked to refrain from smoking in school facilities. If the individual fails to comply with the request, his or her violation of policy will be referred to the building principal or other school district supervisory personnel responsible for the area or program during which the violation occurred. The supervisor shall make a decision on further action which may include a directive to leave school property. Repeated violations may result in a recommendation to the superintendent to prohibit the individual entering school district property for a specified period of time. If deemed necessary by school administration, the local law enforcement agency may be called upon to assist with enforcement of this policy.

Adopted: September 13, 1993
Amended: June 19, 2000
Amended: May 17, 2004
Reviewed: Jan. 3, 2008
Amended: April 11, 2016
Amended: Jan. 8, 2018

Berkley Public Schools

SCHOOL INSURANCE

Policy #6800

- 6800.1 Providing hospital and medical insurance for students is a responsibility of parents. The school district will make an accident insurance program available to parents of all students, but will not obligate them to purchase this program.
- 6800.2 No student shall be permitted to take part in interscholastic athletics or practice for interscholastic athletics unless he or she has insurance covering accidental injury.
 - 6800.21 Such insurance will be made available to parents through the school.
 - 6800.22 Parents of these students who do not want the school insurance must sign a waiver to that effect and also indicate that they have sufficient accident insurance coverage from another source.
 - 6800.23 Such insurance shall be non-duplicating.

Adopted: May 8, 1973
Reviewed: Jan. 3, 2008
Reviewed: March 1, 2016

Berkley Public Schools

FREE & REDUCED PRICE FOOD SERVICES

POLICY #6840

- 6840.1 All public schools operating on a “one-session day” are required to make lunches available to children. All public schools are required to make lunches available to children.
- 6840.11 All public schools which draw their attendance from areas with a high number of eligible children, as defined by the USDA National School Lunch Program (NSLP) shall make school breakfast programs available to children.
- 6840.12 State-established minimum nutritional standards and regulations for all school food services must be followed.⁴
- 6840.2 Each school will establish its standards for student behavior in the cafeteria. Students who violate these standards of behavior in the cafeteria shall be subject to the regular disciplinary procedures of the school.
- 6840.3 Free lunches for eligible students will be made available according to procedures established by the National School Lunch Program
- 6840.4 The school system will take part in the National School Lunch Program and other food programs that may become available to assure that all children in the schools receive proper nourishment. Care should be taken to provide these lunches in such a way as to avoid embarrassing students.
- 6840.5 In accordance with guidelines for participation in these programs, and in accordance with the wishes of the Committee, no child who a teacher believes is improperly nourished, will be denied a free lunch or other food simply because proper application has not been received from his/her parents/guardians.
- 6840.6 As required by state and federal regulations, the School Committee approves this policy statement pertaining to eligibility for free milk, free meals and reduced-price meals.

Adopted: May 8, 1973

Amended: December 14, 1992

Amended: June 21, 2004

Reviewed: Jan. 3, 2008

Amended: Nov. 16, 2016

⁴ General Laws, Chapter 15, Section 1G

Berkley Public Schools

TRANSPORTATION SERVICES FOR STUDENTS

Policy #6860

6860.1 The transportation policies of the School Committee are aimed at providing a safe, efficient, and economical method of getting students to and from school. It is the desire of the School Committee that transportation be scheduled in such a way that the best educational interests of the students be served. Regulations are necessary to govern the operation of such a program, and it is not the intent of the School Committee to assume an unreasonable approach to this phase of the school program.

The School Committee realizes that these policies are not all-inclusive, or ideal, or that they meet all the needs of the district. They are presented as essential statements for providing safe, economical, and adequate service. They are given to illustrate the types of decisions on the policy level that the Committee must make to provide a reasonable quality of service in a district with average climatic, topographical, and traffic conditions.

The School Committee will provide transportation to and from school for students who live two (2) miles or more from school.¹ In event of specific safety hazards or the lack of sidewalks along heavily-traveled highways or traffic arteries, the School Committee may furnish transportation to students living less than two (2) miles from school.

Transportation expenses of approved athletic, band, and choir trips and approved educational field trips will be paid from the school's Transportation Fund when possible. Transportation expenses for other school-related trips will be paid from money collected from the sale of tickets to those students taking the trip and/or by the sponsoring organization. An amount equal to the cost of the trip will be transferred from the sponsoring organization to the transportation contractor.

6860.2 The Berkley School Transportation Plan is based on the Berkley School Committee not allowing standees on buses.

6860.3 A Depot Policy (group bus stop) will be allowed, meaning that students in grades Kindergarten through Grade 2 will be picked up close to home, students in Grades 3 and 4 will have a one-quarter mile maximum walk to a depot, and Grades 5 through 12 students will have a one-half mile maximum walk to a depot.

6860.4 The School Committee may provide transportation for athletic teams, coaches, cheerleaders, bands, and any other groups composed of students from the school, which bear the school name, and are under the control of the School Committee. The Superintendent must request said special transportation.

6860.5 Transportation services are provided to students by the School Committee on the following conditions:

- a. Students must follow established procedures for changing their boarding or “leaving” bus stop, or for transferring from one bus to another.
- b. Students must follow all regulations set forth which control their boarding, leaving, seating, behavior, and safety. While on the bus, they must follow all school rules regarding behavior found in the current issue of the Student Parent Handbook. A student may be excluded, temporarily or permanently, for disobeying one of these regulations.

6860.6 The contractor shall be responsible for scheduling all bus routes. Routes shall be finalized and submitted to the Office of the Superintendent of Schools for approval by August 15 of each year.

6860.7 Routes to and from school are scheduled on the assumption that students will be picked up from and delivered to the bus stop nearest their place of residence. One-day exceptions for individual students may be granted by approval of the principal.

Long-term exceptions, more than one week, must be submitted to the Principal for approval. Students may be transported at the end of the school day to a location other than home under the following circumstances:

- a. A written request for such transportation signed by a parent or legal guardian must state the specific location other than home to which the student is to be transported every school day.
- b. The request for such transportation may not require that a bus deviate from an established route.
- c. The request for such transportation may not cause the school district to incur any additional cost.
- d. In fulfilling such request, the school district will not be required to comply with any other policy or practice limiting the length of time a student may spend on a bus.

6860.8 Requests for such transportation as described above will be submitted to the Principal. If the requirements have been met, the Principal will direct that the request be granted.

6860.10 A bus will not use a private way to receive or drop off students unless the Superintendent has approved the use of the private way, and it is continuously maintained so that it can be used safely.

6860.11 A bus will not use any road, public or private, if it cannot be safely and continuously maintained as determined by the Superintendent.

6860.12 A bus will not stop to load or unload students unless the driver has an unobstructed view of at least 300 feet in each direction, except to the extent that visibility is reduced by fog, snow, or other weather conditions. In such circumstances, the driver is expected to use his/her best judgment to ensure the safety of the children and the bus.

Reference:

¹ Massachusetts General Law, Chapter 71, Section 68

Adopted: May 12, 1992

Revised: February 13, 1996

Amended: April 13, 1998

Amended: May 21, 2001

Amended: Feb. 25, 2008

Reviewed: March 1, 2016

Reviewed: May 2, 2018

Berkley Public Schools

BUS DRIVERS (Employees of the Transportation Contractor)

Policy #6861

- 6861.1 Each school bus shall be operated by a person twenty-one (21) years of age or over who is licensed under Section Eight A, Chapter 90, or who is licensed under Section Nine, Shaper 159A, and is subject to an annual physical examination.
- 6861.2 Drivers shall be approved by the Transportation Contractor and the head bus driver. The Committee or Superintendent reserves the right to request that a driver or drivers be removed from the Berkley bus route.
- 6861.3 The attached School Bus Discipline Procedure and Bus Rules for Students must be adhered to.
- 6861.4 Berkley Public Schools, in accordance with Chapter 77 of the Acts of 2013 “An Act Relative to Background Checks”, will conduct a Federal Background Check via fingerprint through the Statewide Applicant Fingerprint System (SAFIS), in addition to a Criminal Offender Record Information (CORI) check for any transportation company employee who regularly provides school related transportation to children. State law requires that school districts obtain C.O.R.I. and SAFIS data for employees of taxicab companies that have contracted with the schools to provide transportation to pupils.
- 6861.5 The Superintendent shall periodically, but not less than every three years, obtain all available Criminal Offender Record Information from the criminal history systems board on all employees, individuals who regularly provide school related transportation to children, including taxicab company employees, who may have direct and unmonitored contact with children, during their term of employment.
- 6861.6 The Transportation Contractor shall assign a person to act as head bus driver, who shall act as a liaison between the School Department Administrative Staff and the Contractor, and shall have the authority to make decisions for the Contractor.
- 6861.7 Performance responsibilities of the head bus driver are as follows:
- 6861.71 schedule all extra-curricular transportation as directed by the school administration,
 - 6861.72 maintain and submit transportation records as requested by the school administration (examples: trip tickets, late bus mileage records, bus conduct reports, bus mileage records.),

- 6861.73 establish and maintain proper supervision and discipline for each school bus and in the staging area, in conjunction with the principal,
- 6861.74 ensure that each bus receives a daily pre-trip walk-around inspection,
- 6861.75 conduct school bus evacuation drills as required,
- 6861.76 ensure that buses receive proper maintenance and are kept clean inside and outside,
- 6861.77 maintain radio contact (during regular bus runs) with contractor's station and other mobile bus radios to assist in the event of bus failure or accident,
- 6861.78 schedule driver meetings as requested by the school administration.

Adopted: May, 1992
Amended: June 21, 2004
Amended: Feb. 25, 2008
Amended: April 11, 2016
Reviewed: May 2, 2018

**STUDENT CONDUCT ON BUSES/
SCHOOL BUS DISCIPLINE PROCEDURES**

Policy #6862

The enforcement of bus rules is the responsibility of the bus driver. An infraction of the bus rules will be brought to the attention of the student(s) involved by a verbal explanation and warning by the driver or the assignment of a seat by the driver.

6862.1 Procedure: If a verbal warning is not sufficient, the driver will complete a written report on the form provided, "Bus Conduct Report" with copies sent to the following:

Copy 1- Parent

Copy 2 - Driver

Copy 3 - Office, Principal

Copy 4 - Transportation, Superintendent's office

6862.2 Probation: A student will be placed on probation if, in the judgment of the Principal/Asst. Principal, the student's behavior has been unacceptable. A student on probation may be suspended if there is an infraction of bus rules during the probation period.

6862.3 Suspension: A student shall lose his/her privilege of riding on the bus for infractions which, in the judgment of the Principal/Asst. Principal, affect the safety of the driver and/or other students on the bus, or for acts of deliberate vandalism. A bus suspension may be appealed to the Superintendent in the same manner as a school suspension.

6862.4 Notes: If a student is suspended from bus transportation, the Principal/Asst. Principal shall notify the student and his/her home in writing of this decision. A copy will be forwarded to the Office of the Superintendent in all cases of bus suspension. A student receiving a bus suspension at the end of a school year may have the suspension continued into the following school year. Special needs students are to comply with the same bus rules. Discipline procedures will be the same unless noted on the student's I.E.P.

6862.5 Bus Rules for Students

6862.51 Waiting for the Bus:

Be on time for the bus. Because of schedules, the driver cannot wait. Do not allow children who are not riding the bus to accompany the student to the bus stop. Observe all safety precautions while waiting for the bus. Do not play in the road.

- 6862.52 Whenever a student must cross the street, do so only when no moving vehicles are approaching from either direction. Do not push, pull, or chase other students. Avoid trespassing on private property and being noisy. As the bus approaches, line up off the street. Do not approach the bus until it has stopped and the bus driver has opened the door.
- 6862.53 Loading the Bus: Get on the bus quickly in an orderly fashion and be seated. Listen carefully and obey any directions issued by the driver.
- 6862.54 Riding the Bus: Remain in your seat. Keep lunches, books, and other equipment out of the aisles. Arrangements must be made by the teacher with the driver for students to bring anything unusual on the bus. Do not throw anything on or out of the bus. Do not extend arms or any other part of the body out of the window. Avoid shouting and excessive noise. No horseplay or fighting. Be courteous to other students. No smoking (Chapter 90, Section 7B). No vulgarity. Cooperate with the driver for the safety of all.
- 6862.55 Unloading the Bus: Do not leave your seat until the bus has stopped. Leave the bus quickly but in a courteous manner without pushing other students. If you must cross a street as you leave the bus, be sure to walk in front of the bus after being so instructed by the bus driver. Observe all safety precautions as you travel from your bus stop to your home. Students shall only be dropped off the bus at their regularly scheduled stop or at school. A note from home is required for stops other than the regularly scheduled stop. Violations of the bus rules will result in probation and/or the loss of bus privileges.

Adopted: May, 1992

Reviewed: March 6, 2008

Amended: Nov. 16, 2016

Berkley Public Schools

TRANSPORTATION EQUIPMENT

POLICY #6863

- 6863.1 Buses and/or Vans in service shall conform to all provisions of the General Laws and Regulations of the Registry of Motor Vehicles relating to school bus transportation. Any bus not passing the regular Registry of Motor Vehicles inspection shall have all deficiencies corrected within twenty-four (24) hours of the inspection or the bus shall be removed from service.
- 6863.2 The buses shall be registered and garaged in the Town of Berkley, when possible.
- 6863.3 Buses must be kept in an attractive condition. They must be clean inside and outside and must be kept in safe, operating condition at all times.
- 6863.4 Buses shall operate in conformity with posted speed limits and with the rules and regulations as set forth by the Registry of Motor Vehicles of the Commonwealth of Massachusetts.
- 6863.5 The School Committee or its designee reserves the right to inspect all buses offered for use and to reject at any time any bus or buses considered by them to be in unsatisfactory condition.
- 6863.6 All contract buses shall be lettered "BERKLEY PUBLIC SCHOOLS" in letters five inches high. Lettering shall be located on each side of the bus.
- 6863.7 All buses are equipped with swing-out lighted STOP signs and two-way communication equipment.
- 6863.8 The contractor shall maintain and make available for perusal by the Berkley School Committee or its designee a maintenance record of each vehicle used in the contract. Maintenance records shall indicate all maintenance performed on the equipment.
- 6863.9 The contractor shall have, for each school year that the contact is in force, General Liability of at least \$1,000,000,000 Bodily Injury and Property Damage Liability, Combined Single Limit with a \$5,000,000 Annual Aggregate Limit; and Automobile Liability of at least \$1,000,000 Bodily Injury and Property Damage per accident. The Town of Berkley will be named as an additional insured, and satisfactory documentation of such will be provided to the Berkley School Committee.

Adopted: May, 1992

Amended: June 21, 2004

Reviewed: March 6, 2008

Amended: April 11, 2016

BERKLEY PUBLIC SCHOOLS

SPECIAL EDUCATION STUDENT TRANSPORTATION

Policy #6864

6864.1 The School Committee must provide special education student transportation under Chapter 766 Regulations and must arrange for the provision of all transportation recommended by a TEAM. In meeting such obligation, the School Committee shall insure that there is full compliance with all conditions set by a TEAM for the transportation of a child in need of special education. The School Committee shall transport or arrange for transportation of a child in need of special education on regular transportation vehicles unless one or more of the statements listed below in Paragraphs 6864.11 through 6864.14 apply to that child. If Paragraphs 6864.11 or 6864.14 apply to a child in need of special education, the School Committee shall transport or arrange to have such child transported on vehicles which are not regular transportation vehicles. If paragraphs 6864.1.2 or 6864.1.3 apply to a child in need of special education, the School Committee shall transport or arrange to have such child transported either in regular transportation vehicles or in other vehicles.

6864.11 The TEAM states such child cannot be transported on regular transportation vehicles.

6864.12 Such child must be transported at times during which regular transportation vehicles are not normally operated.

6864.13 Such child must be transported to points outside the jurisdiction of the School Committee to which the School Committee's regular transportation vehicles do not normally carry children.

6864.14 The parents of such child provide the required transportation.

6864.2 A School Committee may not write an independent education plan (I.E.P.) for a child consisting solely of transportation services without modification of the regular education program.

6864.3 Transportation Provided by the Parents:

If the School Committee arranges to have the parents of a child in need of special education transport such child, it shall pay such parents the prevailing rate per mile for school employees for each mile which parents transport the child at the request of the School Committee. Parents shall be reimbursed for the round trips traveled in a direct route between the child's home and school. No parent shall be required to provide transportation, nor shall any School Committee be relieved of the obligation to provide transportation for such child because of inability or unwillingness of such parents to provide such transportation.

Reference: MA Department of Education – 766 Regulations

Adopted: May, 1992

Amended: June 19, 2000

Reviewed: March 6, 2008, Oct. 12, 2016

Berkley Public Schools

USE OF PRIVATE VEHICLES ON SCHOOL BUSINESS

Policy #6865

- 6865.1 The School Committee recognizes the need for some school employees to use their own automobiles for school purposes regularly or occasionally. To safeguard the district employees and students in matters of liability, particularly as this relates to an employee transporting a student or students, the following policy will be observed.
- 6865.2 To use a private vehicle for school purposes, the employee must have the written permission of the superintendent or his/her designee.
- 6865.21 This permission may be in the form of a standing permit for employees who use their own cars regularly for school purposes. This permit will state the particular purpose, and whether it includes transportation of students.
- 6865.22 For all special trips involving students, including field trips, a special permit must be obtained in advance for the specific trip.
- 6865.3 Employees so authorized to use their cars for school business purposes are first covered by their own automobile insurance. Coverage by the district is limited to general umbrella liability.
- 6865.4 The district will assume no responsibility for liability unless the employee has the authorization described above.
- 6865.5 Employees are eligible for mileage reimbursement at the local school department established rate.

Reference:
National School Boards Association

Adopted: May, 1992
Reviewed: March 6, 2008
Reviewed: Oct. 12, 2016

Berkley Public Schools

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

Policy #6866

- 6866.1 The School Committee specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent or the Principal. The School Committee does not encourage the use of private vehicles unless determined to be necessary or essential. In most cases school buses or other approved transportation will be utilized.
- 6866.2 In instances where private vehicles must be used for the transportation of children on a regular basis, the Superintendent will maintain an approved list of such arrangements.
- 6866.3 Small vehicles, including those owned by the school district, may be used for the purpose of transporting school students on inter- and intra-school approved programs and activities sponsored by the School Committee, subject to appropriate procedures.
- 6866.4 The driver of each vehicle used for this purpose will be at least 21 years of age and possess a valid operator's license. The driver of each vehicle used for this purpose will have a current criminal offender record information (CORI) form on file in the school department in accordance with M.G.L. c.71 s.38R. The vehicle will be insured for bodily injury and property damage according to amounts specified in the procedures, as well as liability and personal injury protection.
- 6866.5 A small enclosed vehicle is defined as a motor vehicle with motor power designed for carrying nine or fewer passengers. The vehicle must meet or exceed minimum state standards governing school transportation vehicles.
- 6866.6 Privately-owned motor vehicles used exclusively to carry members of the owner's household, informal, or intermittent arrangements such as sharing of actual gasoline expense or participation in a car pool for transporting of students to or from school are not covered by this policy.

Reference: National School Boards Association

Adopted: May, 1992

Amended: April 14, 2008

Reviewed: Oct. 12, 2016

Berkley Public Schools

IDLING VEHICLE POLICY

Policy #6867

It shall be the responsibility of the school administration to ensure that each school bus driver employed by the Berkley School District and not by a school bus contractor shall, upon employment and at least once per year thereafter, sign a document acknowledging the receipt of copies of M.G.L.c.90, §16B and 540 CMR 27.00. The prohibitions contained in M.G.L.c.90,§16B shall be enforced by state or local law enforcement agencies.

Adopted: Jan. 11, 2010

Reviewed: Oct. 12, 2016

BERKLEY PUBLIC SCHOOLS

INTERROGATION AND ARREST OF STUDENTS

Policy #6900

- 6900.1 Parents/Guardians are responsible for the behavior of their students during out-of-school hours. The following procedures should be followed in the event of a police officer who seeks to interrogate a student, to search his/her locker or person, or arrest him/her in regard to a suspected crime or misdemeanor which occurred off the school grounds during out-of-school hours:
- 6900.11 The police officer should be asked to identify himself/herself. In addition, the officer should be requested to give reason why it is necessary for investigative action to occur during school hours rather than after school at the student's home.
 - 6900.12 The student's parents/guardians must be contacted prior to any interrogation of the student, when it is appropriate.
 - 6900.13 In the absence of parents/guardians, the principal or designee must be in attendance during the interrogation of a student.
 - 6900.14 The principal or designee of the school must be present during any search of a locker or desk of a student by a police officer.
 - 6900.15 The school must comply with a duly-authorized warrant for the arrest of a student. In the event of arrest, the student's parents/guardians must be informed that the police are taking custody of the student.
- 6900.2 The police should be requested to investigate any unsolved crimes which have occurred in school or on the school grounds. It should be remembered that the school is an educational institution and not an investigative agency. The following procedures should be followed in event of a crime occurring in school:
- 6900.21 A request should be made to the police department to have a police officer make an investigation.
 - 6900.22 Prior to any interrogation or arrest, parents/guardians of suspected students must be notified.
 - 6900.23 In the absence of parents/guardians, the principal or designee must be present during any interrogation by a police officer.
 - 6900.24 The principal or designee must be present during any search of a locker or desk of a student by a police officer.
 - 6900.25 Should an arrest result, parents must be informed that the police are taking the student into custody.
- 6900.3 The Superintendent will be kept informed of any police investigation occurring in the schools.