
Dennis-Yarmouth Regional School District

*Empowering Each Student to Achieve
Excellence with Integrity in a Changing
World*



Employee Handbook 2017-2018

Dennis-Yarmouth Regional School Committee

Joseph Tierney, Chairperson	James R. Dykeman, Jr., Vice Chairperson
Andrea St. Germain, Secretary	Brian Carey, Treasurer
Jeni Landers, Member	Brian Sullivan, Member
Phillip Morris, Member	Maureen Burnham, Recording Secretary

Office of the Superintendent of Schools

Carol A. Woodbury

508-776-7605

Schools

Dennis-Yarmouth Regional High School	508-398-7630	210 Station Avenue South Yarmouth
Mattacheese Middle School	508-398-7630	400 Higgins Crowell Road West Yarmouth
Nathaniel H. Wixon Innovation School	508-398-7695	901 Route 134 South Dennis
Ezra H. Baker Innovation School	508-398-7690	810 Route 28 West Dennis
Marguerite E. Small Elementary School	508-778-7975	440 Higgins Crowell Road West Yarmouth
Station Avenue Elementary School	508-760-5600	276 Station Avenue South Yarmouth

NOTE: *The employee handbook has been written to provide information and guidance to all employees of the Dennis-Yarmouth Regional School District. The handbook does not represent an exhaustive list of all district policies, procedures, or practices. Additionally, this handbook is designed to supplement, but not to supersede any of the Dennis-Yarmouth Regional School Committee Policies, Collective Bargaining Agreements, Local, State, or Federal Law. Where there is a conflict, one of these other documents would prevail. It is the employee's responsibility to be aware that these laws exist along with the policies, guidelines, and procedures established in the collective bargaining agreement, school procedures, and other relevant sources such as the state athletic association.*

The Dennis-Yarmouth Regional School District is committed in spirit, as well as in action, to abide by all laws dealing with equal employment opportunity. It is our policy to guarantee equal employment opportunities for all qualified persons without regard to their age, race, religious creed, color, national origin, ancestry, marital status, gender, gender identity or gender expression, genetic information, military status, sexual orientation, or disability, which can be reasonably accommodated, unless there exists a bona fide occupational qualification.

Dennis-Yarmouth Regional School District will act in good faith, to affirmatively recruit and consider for promotion individuals in protected categories. Age, race, religious creed, color, national origin, ancestry, marital status, gender, gender identity, gender expression, military status, sexual orientation, or disability are not factors in employment, promotion, transfer, compensation, lay-off, disciplining and termination, unless there exists a bona fide occupational qualification. For further information or to redress a grievance, contact the district's Civil Rights Compliance Officer, Maria Lopes by phone at 508-398-7625, or in writing at 296 Station Avenue, South Yarmouth, MA 02664.

District Staff Directory 2017-2018

Superintendent	Carol A. Woodbury	508-398-7605
Assistant Superintendent	Kenneth Jenks	508-398-7610
Director of Pupil Services	Maria Lopes	508-398-7625
Director of STEM Instruction	Leila Maxwell	508-398-7621
Director of Humanities & Arts Instruction	Sherry Santini	508-398-7620
Food Service Coordinator	Rooney Powers	508-398-7601
Facilities Manager	Sandra Cashen	508-398-7670
Assistant Facilities Manager	Steve Faucher	508-398-7677
Director of Technology	Chris Machado	508-778-7580
Assistant Director of Digital Technology	JoAnna Watson	508-778-7580
Director of Early Education	Carole Eichner	508-778-7988
Business Office Coordinator	Mickey Fredericks	508-778-7611
Employee Benefits Coordinator	Trisha Maloney	508-778-7612
Payroll Clerk	Dawn Selfe	508-778-7614
Assistant Treasurer	Susan Nelson	508-398-7617
Adult Education Coordinator	Suzanne Kenney	508-398-7601
District Nurse Leader	Ann Couite, RN	508-398-7630
Title I Coordinator	Virginia Stewart	508-778-7599
Induction Coordinator	Sherry Santini	508-778-7620
Dropout Prevention	Kenneth Jenks	508-398-7630
School Physician	Dr. Kenneth Colmer	508-394-2116

District Liaisons:

Mentor & Induction Coordinator	Sherry Santini
English Language Learners (ELL)	Patricia Leon-Finan
Homeless Liaison	Maria Lopes
504 Coordinator	Maria Lopes
Harassment Officers	Maria Lopes & Kenneth Jenks
Compliance Officers	Maria Lopes & Kenneth Jenks

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Dennis-Yarmouth Regional School District

296 Station Avenue, South Yarmouth, MA 02664

Phone: (508) 398-7600 Fax: (508) 398-7622

A Message from the Superintendent

July 2017

Dear Dennis-Yarmouth Team Member:

It is with great pleasure that I welcome you to the 2017-2018 school year for the Dennis-Yarmouth Regional School District, *Home of the D-Y Advantage!* Each and every team member makes important contributions to the strength and vitality of the educational process. Every day through your dedication and professionalism you will make important contributions to the future as you impact each student's education.

We are proud of the educational experience D-Y offers. We are well-known for our commitment to visual and performing arts. Academics are job one and we offer a wide-range of honors, advanced placement, and online learning experiences at the high school level. At all levels our students have access to a variety of afterschool co-curricular opportunities allowing students to continue their learning and growth beyond the school day. We value learning languages as a way to explore the world and are working on expanding our offerings in this area. In 2016, 93% of our graduates planned to continue their education beyond high school. Currently, we have two Innovation Schools in the district-Wixon and Baker. These endeavors and so much more contribute to our D-Y Pride!

None of this would be possible without a hard-working, caring, and committed staff. If you are just joining us for the first time, you were selected because we believe you have these qualities. We are excited that you have decided to become a D-Y Dolphin.

MISSION

The Dennis-Yarmouth Regional School District mission is *empowering each student to achieve excellence with integrity in a changing world.* Students need an education that prepares them to be adaptable to the evolving conditions of the 21st century. With the understanding that education should be future-focused, responsive to the needs of its clients, and directed through long-term planning, the Dennis-Yarmouth community recognized the need for the development of a strategic direction. The essence of the Strategic Direction is based on interpersonal relationships. As members of the D-Y community, we must respect students, our co-workers, and all other members of the District community; act as role models; act on ethical principles; and know, understand, consider, and accept the impact and consequences of personal actions and decisions upon self, others and property. This is the example we wish to set for your students and the strengths we want them to take with them after they leave our schools.

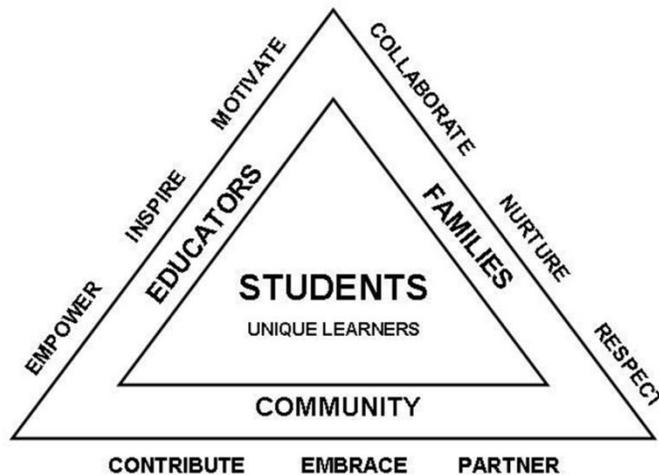
VISION

Our Vision represents what our district strives for: *The Dennis-Yarmouth Regional School District, a community of learners, will be an innovative leader in preparing each student to be college, career, and civic ready, with the capacity to seek new challenges and make a positive difference.*

CORE VALUES

The triangular graphic below represents our Core Values. The Core Values represent the “heart and soul” of a school district. Their importance should not be underestimated. They form the foundation for all the actions that the district takes. They are the underpinnings of beliefs, how the district operates, how it works with people at all levels, and what the district envisions as its purpose. Before a vision or mission can be crafted, the district needs to look inward and decide what is important.

The steering committee spent countless hours deciding on just the right graphic. The triangle was selected because it is the strongest shape. Our students are supported in the center of the triangle by our educators, families, and the community. We have a diverse student body and we celebrate that by recognizing our students as unique learners.



Our Core Values statement: *The Dennis-Yarmouth Regional School District is a community of innovative learners. Each student will be college, career, and civic ready, empowered to seek new challenges and make a positive difference in a changing world.*

Our Mission, Vision, and Core Values are tightly interwoven creating a strong message representing who we are, how we work together, and what we will accomplish with all students. A sense of pride permeates our district as we proudly proclaim, “We are all Dolphins!” Even our mascot, the dolphin, exemplifies our long tradition of working collaboratively for all students.

Warmest regards,

Carol A. Woodbury

Carol A. Woodbury
Superintendent of Schools

GENERAL POLICIES

Conduct - GBEB

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

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

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

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

1. Faithfulness and promptness in attendance at work.
2. Support and implement School Committee Policy. Enforce school rules and regulations.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. An awareness and practice of the school system's legal responsibility for the safety and welfare of students.
6. Ensure that students are supervised at all times.
7. Appropriate attire is required at all times consistent with School Committee Policy.

Below is a non-exhaustive list of the types of conduct that are not permitted and that may lead to disciplinary action up to and including immediate discharge, and in some instances, possible legal recourse.

- Failure to maintain a satisfactory attendance record
- Unauthorized absence, tardiness, or leaving work without permission
- Exhibiting threatening behavior
- Use of threatening, sarcastic, abusive language or behavior
- Intimidating, coercing, or interfering with fellow employees or their work
- Insubordination or refusal to perform assigned duties
- Performing one's duties in a careless, incompetent, negligent, or unsatisfactory manner
- Any act of theft, pilferage, fraud, forgery, or other dishonesty
- Falsification of records including but not limited to time cards, insurance claims, applications, resumes, or student files
- Sleeping, fighting, or gambling on District property
- Use of tobacco products on District property
- Possession or use of alcoholic beverages or illegal drugs on District property or appearing for work under the influence of alcohol or drugs
- Release of confidential information about current or former students

Any employee who has a question about these issues, or the policies governing them, that cannot be answered by employee's supervisor is encouraged to direct the questions to the Superintendent or his designee.

Employees are to comply with School Committee policies, available on the School District's website, and MA General Laws. Violation of policies or laws may result in disciplinary action up to and including termination. For the full policy please read School Committee Policy GBEB.

Staff Responsibilities

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

All staff members will be expected to carry out their assigned responsibilities with conscientious concern. The first responsibility of the instructional staff is to enhance student achievement. Also essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

Reporting Illegal Acts and Disruptive Behavior:

All employees of the school system are required to report any illegal act and/or disruptive behavior occurring on school property. The responsible administrator has the obligation to conduct an immediate investigation of the allegation and, upon verification of a criminal act and/or disruptive behavior, report in a manner consistent with procedures established by the Superintendent to the appropriate law enforcement authorities.

The Mandated Reporter Statute:

Under Massachusetts General Laws Chapter 119, Section 51A, a mandated reporter who has reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse, including sexual abuse, or from neglect, shall immediately report such condition to DCF (Department of Children and Family Services) Mandated reporters include public and private school teachers, educational administrators, guidance or adjustment counselors, psychologists, attendance officers, social workers, day care providers, health care professionals, court and public safety officials. In schools, mandated reporters may either report directly to DCF or they may notify the person in charge of the school (or that person's designee), in which case that individual is responsible for making the oral and written report to DCF. The mandated reporter must make the report orally to DCF immediately, and then make a written report to DCF within 48 hours.

Reporting Child Abuse/Child Protection:

The policy of the Dennis-Yarmouth Regional School District is to provide a healthy and safe environment in which students can learn and participate in all programs offered. This protocol for the Dennis-Yarmouth Regional School District Crisis Intervention Team supports the school policy. This protocol describes procedures for staff to follow when a child's safety or health is considered at risk. This protocol ensures that essential information, relating to the suspicion that

abuse or neglect has occurred, is correctly documented and, if necessary, reported to the Department of Children and Family Services (DCF) as mandated by MGL C.119 S.51A.

Corporal Punishment:

State Law (M.G.L. 71 sec. 37g) provides that the power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict physical punishment upon any student.

Anti-Fraternization Policy: Staff - GBEBB

DYRSD expects all staff members, including teachers, coaches, counselors, administrators, board members, support staff and others, to maintain the highest professional, moral and ethical standards in their conduct with students. A staff member must be aware that students of all ages and intellect are susceptible to influence by both staff and fellow peers. While this influence most often yields positive educational results, it can also be used in a manner that is entirely inappropriate. Accordingly, staff must be cognizant of their appropriate roles and professional duties in the development of students. Similarly, staff must be cognizant of the imbalance of power that exists in relationships between staff and students, which can live on long after the student has graduated from the District. This imbalance of power places students in a vulnerable position that must be recognized and respected by staff. It is the responsibility of staff not to take advantage of or otherwise exploit this imbalance of power to further any non-educational, personal, or inappropriate objective. Accordingly, staff is prohibited from engaging in any romantic, sexual, or physical relationship with students.

Condition of Employment:

The staff of the District must understand that this Anti-fraternization Policy is a condition of employment. As a condition of employment, the District reserves the right to at any time, without advance notice to staff, to access, investigate and/or review the appropriateness of any activity or relationship between staff and students in order to protect the health, welfare and safety of the District, its staff, and students. Failure to adhere to the requirements of this policy may result in severe consequences, up to and including termination.

Reporting Obligation:

All staff that reasonably suspect an inappropriate relationship exists between a staff member and student are required to immediately notify, orally or in writing, the school building principal or designee. Nothing in this paragraph is intended to relieve mandated reporters of their obligations under state and local statutes.

Submission of a good faith report of a suspected violation of this policy or compliance with an investigation will not adversely affect the reporting individual's employment. Submission of a purposely inaccurate report may result in disciplinary action.

Obligation of Health and Welfare for Students:

Staff shall maintain appropriate and professional conduct in all settings in the presence of students which is conducive to an effective educational environment. Staff members shall maintain a reasonable standard of care for the supervision, control, and protection of students and

shall report any violation of this policy including via social media to the school building principal, superintendent, or designee.

Employees must understand that even an appearance of inappropriate relationships will adversely impact their effectiveness in the school environment. Therefore, employees must be diligent in maintaining the highest ethical standards when interacting with youth both inside and outside the school environment.

For the full policy please read School Committee Policy GBEBB.

Bullying Prevention & Intervention - JOCFB

DYRSD is committed to providing a safe, positive, and productive educational environment where students can achieve the highest academic standards. It is committed to maintaining a school environment where all students regardless of legal status are free from bullying and cyberbullying.

Acts of bullying and cyberbullying are prohibited on school grounds, at a school sponsored event or related activity whether on or off school property, at a school bus stop or other vehicle owned, leased, or used by DYRSD, or through technology owned, leased, or used by DYRSD. At any location, activity, or function that is not school related, or through the use of technology if the acts create a hostile environment at school for the target, infringes on their rights at school, and/or materially and substantially disrupts the education process or orderly operation of a school.

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

Reporting Bullying and Cyberbullying:

Any member of DYRSD staff shall immediately report any instance of bullying or retaliation s/he witnesses or becomes aware of bullying or retaliation to the school principal or designee. The requirement to report as provided does not limit the authority of a staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

At any point after receipt of a report of bullying or retaliation, or during or after an investigation, if the school Principal or designee has a reasonable basis to believe criminal charges may be pursued against the aggressor, the school principal or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled, the principal or designee will notify local law enforcement if he/she believes that criminal charges may be pursued.

Definitions:

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

Bullying, as defined in M.G.L. c. 71, §370, is the repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

1. Causes physical or emotional harm to the victim or damages the target's property;
2. Places the target in reasonable fear of harm or damage to his property;
3. Creates a hostile environment at school for the target;
4. Infringes on the rights of the target at school; or
5. Materially and substantially disrupts the education process or orderly operation of a school.

Bullying includes cyberbullying. It may include conduct such as physical intimidation or assault, including: intimidating an individual into taking an action against his/her will, oral or written threats, teasing, putdowns, name calling, stalking, threatening looks, gestures, or actions, cruel rumors, false accusations, and social isolation.

Cyberbullying, as defined in M.G.L. c. 71, §370, is bullying through the use of technology or any electronic communication which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio electromagnetic, photo electronic, or photo optical system; including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications.

Cyberbullying shall also include:

1. The creations of a web page or blog in which the creator assumes the identity of another person;
2. The knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in definition of bullying; and
3. The distribution of electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions defined in the definition of bullying.

Hostile Environment, as defined in M.G.L. c. 71, §370, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive so as to alter the conditions of the student's' education.

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

School 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, cyberbullying, or retaliation has been perpetrated.

Employees are to comply with School Committee policies, available on the School District's website, and MA General Laws. Violation of policies or laws may result in disciplinary action up to and including termination. For the full policy please read School Committee Policy JOCFB and JICFBA.

Physical Restraint of Students - JKAA

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations as a last resort and with extreme caution after other lawful and less intrusive alternatives have failed or been deemed inappropriate.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603 CMR 46.02.

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

Physical restraint, including prone restraint where permitted under 603 CMR 46.03, shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

Ethics and Conflict of Interest - GBEA

All employees of the School Committee are municipal employees whose conduct is regulated by MGL c268A, the Massachusetts Conflict of Interest Statute as well as following the policy of the Dennis-Yarmouth Regional School Committee.

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

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

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

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

Employment and Assignment of Relatives:

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

Tutoring:

The conflict of interest law places some restrictions on teachers tutoring students in their own districts, but does not forbid it. The following are the types of situations that may violate the law, as explained further below:

- A teacher recommends that one of her own students receive private tutoring, and then is paid to do the tutoring.
- A teacher privately tutors her current students.
- A teacher conducts a private tutoring business after hours in his public school classroom.
- A teacher is paid by her own district in a second job to provide tutoring.
- A teacher is paid to provide services that the district has found to be necessary for a child, for instance under an IEP.
- A teacher tells one of his students that he is available for private instruction over the summer.

Providing Tutoring You Recommended: A teacher cannot recommend that one of his or her own students get tutoring, and then be paid to tutor that same student in a second job. This would be a conflict of interest, because the teacher has a financial interest in providing those services. This restriction is imposed by § 6 (charter school teachers), and § 19 (school district teachers).

Privately Tutoring Current Students: A teacher may not tutor students who are currently in her class. Even if the teacher does not recommend that her current student receive private tutoring, the teacher should not tutor her current students as this raises issues under § 23(b)(3), the appearance of a conflict section, § 23(b)(2), the use of position section, and § 19, the financial interest section.

Using School Resources for Private Tutoring: A teacher cannot use his position to get unwarranted privileges for himself or to give them to anyone else. This restriction is imposed by § 23(b)(2). For example, a teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. A school cannot send home brochures for a particular tutoring service with the children. The only exception to this is that a district may, if it chooses, create a policy permitting the use of its resources in specified circumstances by anyone (teachers or non-teachers) who meets its objective and reasonable criteria. For example, a district could create a policy under which it will list on its website any provider of private tutoring services that meets stated criteria. Any such listing, however, should include a disclaimer that the district is not endorsing any private tutoring service

Tutoring Paid for by the District: Apart from their primary employment (which is viewed as a contract for conflict of interest purposes), teachers and other public employees are not allowed to have a financial interest in a contract with an agency at their same level of government, unless an exemption applies. This means that a teacher cannot have a second paid position with her school district or her charter school unless there is an applicable exemption, because the second paid position is a financial interest in a municipal or state contract. This restriction is imposed by § 7 (charter school teachers) and § 20 (school district teachers). These sections make it impossible for full-time teachers to tutor in their own district if the district is going to pay for the tutoring (as may be the case, for example, with SES services). A district that wishes to be able to pay its teachers directly to perform tutoring must include a provision in the teachers' collective bargaining agreement providing a set amount of extra pay for tutoring by teachers that will be included in the teachers' regular paychecks. This solves the problem because then teachers only have a financial interest in one contract (that is, their primary employment, which is governed by the collective bargaining agreement). This part of the law applies less restrictively to some part-time employees.

Tutoring Required by District: Teachers and other public employees may not be paid by or act for others in matters that are of direct and substantial interest to their public employers. Where a district has determined that a particular child needs tutoring, that is a matter of direct and substantial interest to the district. Consequently, a teacher who works for the district cannot be paid privately to provide that tutoring. For example, if tutoring is required as part of an IEP, a teacher in the district may not accept payment from the student's family to provide that tutoring. The teacher is likewise prohibited from communicating with his own school or district on behalf of a private tutoring program. This restriction is imposed by §§ 4 and 17. These provisions apply less restrictively to some part-time employees. A district paying its own teachers directly to provide tutoring pursuant to a collective bargaining agreement by including

tutoring-related compensation in their regular paychecks does not create a problem under this section, because the employees are not being paid by someone other than their employer.

Approaching Students or Parents for Work: Teachers and other public employees may not initiate private business relationships with persons under their authority pursuant to § 23(b)(2). This means that a teacher may not approach a student, or the student's parents, seeking private tutoring work. A teacher may provide tutoring when the relationship is initiated by the parents or a student, but, if the student is, or in the future may be, under the teacher's authority, the teacher will need to do a written disclosure. The form to be used for this disclosure is form 8, which is available at: <http://www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/>

School District Policies Prohibiting Private Tutoring: A school district may adopt policies that are more restrictive than the conflict of interest law. For example, a school district may choose to adopt a policy prohibiting teachers from privately tutoring any students in the same school in which they teach or in the same school district in which they work. In that situation, the tutoring would be prohibited, even if it doing so would otherwise be permissible under the conflict of interest law.

In sum, a teacher who is approached by parents of a student in his district but who is not one of his own students, and is asked to tutor their child, for payment by the parents, and using no public resources in connection with that tutoring, may do so. Teachers, however, should avoid tutoring in any of the situations described above that would raise issues under the conflict of interest law or district policy.

Maintaining of Confidential Information:

It is hereby the policy of the School Committee that no employee of the district will compromise confidential information. The policy affects all employees of the district who come in contact with confidential information, regardless of whether they have or have not the status of confidential employees.

Former Employees & Restrictions on Future Employment:

MGL c268A, Sections 5 (state employees), 12 (county employees) and 18 (municipal employees) place restrictions on public employees after they leave public service. In addition, these sections of the conflict of interest law place restrictions on the business partners of current and former public employees.

The Forever Ban - Sections 5(a), 12(a) and 18(a) prohibit a former public employee from ever receiving compensation from, or acting as agent or attorney for, anyone other than the state/county/municipality, in connection with any particular matter in which the state/county/municipality is a party or has a direct and substantial interest and in which the employee at any time previously participated as a public employee.

If a state/county/municipal employee at any time participated in a particular matter as a public employee, he may never receive compensation from a private employer or act as its agent in connection with the same matter after he leave his public position.

Under these sections, two basic questions must be asked by a former public employee concerning contemplated private work: (1) what did the employee participate in as a public employee? and (2) is the proposed private work in connection with any particular matter in which the employee participated in his public position?

The One-Year Ban - Sections 5(b), 12(b) and 18(b) prohibit a former public employee from within one year after leaving public service, acting as an agent or attorney for anyone other than his public employer, before any state/county/municipal agency or state/county/municipal court in connection with any particular matter in which the state/county/municipality is a party or has a direct and substantial interest, for which the public employee had official responsibility within the two years before he left state/county/municipal government

Confidential Information & Former Public Employees - Section 23(c) prohibits a current or former public employee from accepting other employment or engaging in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority and from improperly disclosing such confidential materials or using such information to further his private interests. See EC-COI-83-154; 84-9.

Gifts To and Solicitations by Staff - GBEB

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

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

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

Class Gifts

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents and students in a class may be accepted provided the gift is identified

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

Gifts for School Use

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

Solicitations

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

Empowered Digital Use - IJNDB

The Dennis-Yarmouth Regional School District provides access to computers, including electronic mail and the Internet. All staff members have an assigned e-mail account and may use the District created e-mail account. Having an account is a privilege, in exchange for which the following must be agreed to by the account holder and is considered network etiquette. The account holder must agree with the elements of network etiquette listed below:

- Be conservative in use of all network resources
- Be courteous and considerate of the rights of others
- Do not reveal personal addresses or phone numbers of students or staff without permission; remember that electronic mail is not guaranteed to be private
- Maintain password security and do not provide it to anyone else
- The internet use is for academic purposes such as class assignments, teaching, research, communication, and administration

Actions that are considered unacceptable and are prohibited are listed in the full policy. The actions listed in the policy may result in disciplinary action and the loss of internet accounts and privileges.

Logging on to the network constitutes agreement to comply with all District guidelines. Anyone with an employee or classroom DYRSD account is responsible for actions taken when accessing network services. DYRSD reserves the right to access, review, and disclose any material on the District servers and/or computers for any purpose.

Employees are to comply with School Committee policies, available on the School District's website, Freedom of Information Act and Public Record Laws. Violation of policies or laws

may result in disciplinary action up to and including termination. For the full policy please read School Committee Policy IJNDB and IJND.

Public Records & No Expectation of Privacy

Dennis-Yarmouth Regional School District information technology resources, including Internet access and email, are the property of the school district. As such, the school district retains the right to inspect any user's computer and the files contained therein. The firewall between the Internet and the network automatically checks all data moving between the network and the Internet, identifying the sending and receiving destinations.

The Public Records Law broadly defines “public records” to include “all books, papers, maps, photographs, recorded tapes, financial statements, statistical tabulations, or other documentary materials or data, regardless of physical form or characteristics, made or received by any officer or employee of any Massachusetts governmental entity. The statutory definition of “public records” contains exemptions providing the basis for withholding records completely or in part. The exemptions are strictly and narrowly construed. Where exempt information is intertwined with nonexempt information, the nonexempt portions are subject to disclosure once the exempt portions are deleted. For more information on what falls under an exemption please read the Federal Freedom of Information Act and the Massachusetts Public Records Law.

Individual computer and workstation activity is logged and monitored, and any files created or received by users, any messages sent or received by users, and any Internet websites accessed by users are subject to monitoring at all times. In addition, any and all use of the school district’s information technology resources is subject to monitoring by Dennis-Yarmouth Regional School District at any time without notice and notwithstanding any password(s).

Therefore, users should have no expectation of privacy in any access or use of the school district’s information technology resources, including, but not limited to, data, incoming and outgoing emails and attachments, Internet websites accessed or viewed, and files downloaded. In fact, the mere deletion of emails, data, or files may not eliminate them from the system.

Alcohol-Free Workplace

In addition to comply with the Drug-Free Workplace Act of 1988 and its implementing regulations. Employees of Dennis-Yarmouth Regional School District will not bring in, promote, gift, display, or use alcohol regardless of the purpose during work hours, school sponsored events, or school activities. Employees will refrain from using alcohol containers for transportation purposes or enhancing quality of nonalcoholic products.

DYRSD recognizes that the use of alcohol and the problems associated with it are becoming increasingly common place in our society and among youth. DYRSD also recognizes that the use of alcohol may also lead to problems in daily living. When staff members are identified as using any of these substances, prompt and appropriate intervention steps will be taken to assist these individuals to address the issues of alcohol and drug use.

DYRSD also recognizes that a person's use of alcohol can lead to the illness of chemical dependency. Recovery is possible if such dependency is identified early and treated appropriately. DYRSD regards alcoholism and dependency as it does any other chronic illness.

Our primary purpose is to eradicate any moral judgment or blame that would only continue to stigmatize those with such problems and make their recovery difficult or impossible. For these reasons, the unlawful manufacture, distribution, dispensation, possession or use of alcohol in the workplace, on school premises or as part of any school-sponsored activities is strictly prohibited.

Drug-Free Workplace - GBEC

The school district is a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988 and it's implementing regulations.

DYRSD will notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, is prohibited in DYRSD. DYRSD will establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace.

Employees understand that as a condition of employment under the Drug-Free Workplace Act and recipient of Federal Grants, employees will abide by the terms of the GBEC policy and will notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

In the event an employee is convicted of any criminal drug statute, DYRSD will notify the federal agency within ten days after receiving notice of the conviction, and within 30 days take appropriate personnel action against such an employee, up to and including termination or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program as approved by federal, state, or local health law enforcement.

Tobacco Free Schools - GBED

The use of tobacco and tobacco products is prohibited in all school buildings, on school grounds, and at all off-campus school-sponsored events. This policy applies to staff, students, and guests of the school department. The no-smoking policy is applicable on all days of the week, twenty-four hours per day. This policy includes vaping and electronic cigarettes.

The use of school buildings and grounds by non-school groups will be permitted to the extent that such individuals or organizations are willing to respect this no-smoking policy.

For further information regarding the hazards of smoking or for information on no-cost and low-cost smoking cessation programs, contact Human Resources, Dennis-Yarmouth Regional School District, 296 Station Avenue, South Yarmouth, MA 02664 at 508-398-7611, or by fax at 508-398-7622.

Participation in Political Activities - GBI

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

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

Personnel Records and Files - GBJ

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

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

School Committee

Line & Staff Relations - CCB:

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

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

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

Public Complaints Against School Personnel - KEB:

Complaints about school personnel will be investigated fully and fairly. However, before any such complaint is investigated, the complainant must submit his complaint in writing. Anonymous complaints will be disregarded.

Whenever a complaint is made directly to the School Committee as a whole or to a Committee member as an individual, it will be referred to the Superintendent for study and possible solution.

Background Checks - ADDA

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

The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available Criminal Offender Record Information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with children.

Direct and unmonitored contact with children is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or

district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

Reporting to the Department of Elementary & Secondary Education (DESE) Commissioner

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

McKinney-Vento Homeless Education Assistance Act – Excerpt

The goal of the McKinney-Vento Homeless Education Assistance Act is to ensure that each homeless child or youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths.

School districts must immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment – such as school records, medical records or proof of residency.

A complete copy of this Act is available on the DESE website

Field Trips and Field Studies – IJOA & JJH

Field trips can bring the school and the community closer together, which can result in real life experiences that enrich the curriculum for students and also bring about better public relations. The School Committee will also encourage field trips as an integral part of the instructional programs in the schools.

The Superintendent will establish regulations to assure that:

1. All students have parental permission for trips.
2. All trips are properly supervised.
3. All safety precautions are observed.
4. All trips contribute substantially to the educational program.

All out-of-state or extended (overnight) trips and excursions, except those required for student participation in tournament competition or contests, must have advance approval of the School Committee. Fundraising activities for such trips will be subject to approval by the appropriate Administrator.

All student trips which include late night or overnight travel must have prior approval of the School Committee. Initial approval by the School Committee is required before engaging students in fundraising activities. The School Committee will also consider the educational value

of the trip in relation to the cost prior to granting initial approval. Overnight trips should offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips should be appropriate for the grade level.

Final approval will not be granted until all preparations for the trip have been completed including, but not limited to, all logistical details involving transportation, accommodation arrangements and fundraising efforts. The School Committee requires that final approval be sought no less than 30 days prior to the scheduled trip dates.

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

EMPLOYMENT RIGHTS



Nondiscrimination - AC

The Dennis-Yarmouth Regional School District has a commitment to maintaining an educational environment where bigotry and intolerance, including discrimination such as harassment on the basis of race, color, national origin, sex, sexual orientation, gender identity, religion, disability, or age, are not tolerated. Discrimination, including harassment, is contrary to the mission of the Dennis-Yarmouth Regional School District and its commitment to equal opportunity in education.

The Dennis-Yarmouth Regional School District does not discriminate against students, parents, employees or the general public. No person shall be excluded from or discriminated against in admission to the Dennis-Yarmouth Regional School District, or in obtaining the advantages, privileges and courses of study of the Dennis-Yarmouth Regional School District on account of race, color, sex, religion, national origin, or sexual orientation. (M.G.L. c. 76 §5). Additionally, the Dennis-Yarmouth Regional School District does not tolerate harassment based upon race, color, sex, gender identity, religion, national origin, or sexual orientation. (603 CMR 26.08).

For purposes of this policy and procedure, "school" includes school-sponsored events, trips, sports events, similar events connected with school or employment. Any retaliation against an individual who has complained about discrimination, including harassment, or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment or retaliation complaint, is also unlawful and will not be tolerated.

The Dennis-Yarmouth Regional School District takes allegations of discrimination, including harassment, seriously and will respond promptly to complaints. Where it is determined that conduct that violates the law and this policy has occurred, the Dennis-Yarmouth Regional School District will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include school-related discipline.

Title VI, Title IX, and the Civil Rights Act of 1964

Dennis-Yarmouth Regional School District complies with Title IX and Title VI of the Civil Rights Act of 1964, as amended, and all requirements imposed by or pursuant to the regulations of the Massachusetts Department of Education. Dennis-Yarmouth Regional School District further agrees to the regulation that no person in the United States on the grounds of race, color, religion, creed, sex, age, marital status, national origin, mental or physical disability, political belief or affiliation, veteran status, sexual orientation, gender identity and expression, genetic information and any other class of individuals protected from discrimination under state or federal law in any aspect of the access to, admission, or treatment of students in its programs and activities, or in employment and application for employment, denied the benefit of, or otherwise subjected to discrimination under any program, activity, or employment with the district.

Nondiscrimination on the Basis of Ethnicity and Race

Racial or ethnic bias is a violation of law, when it infringes on the basic rights of any person. The School Committee is aware that racism and ethnocultural discrimination are societal problems. However, it realizes that it has a key role in achieving the objective of racial equity within its

jurisdiction and in contributing to positive relationships among people of different backgrounds in the wider society.

Harassment

“Discrimination” includes conduct that excludes a person from participation in, denies an individual the benefits of, or otherwise subjects an individual to different treatment on the basis of race, color, sex, religion, national origin, sexual orientation, gender identity, age, or disability. Harassing conduct involving these bases can be a form of discrimination.

“Harassment” is defined as unwelcome conduct, whether verbal or physical, that is based on: race, color, national origin, sex, sexual orientation, gender identity, religion, disability, or age. Harassment is prohibited by the Dennis-Yarmouth Regional School District, and violates the law.

Examples of harassment include:

- Display or circulation of written materials or pictures that are degrading to a person or group based upon the criteria listed above.
- Verbal abuse or insults about, directed at, or made in the presence of an individual or group described above because of one of the criteria listed above.
- Any action or speech that contributes to, promotes, or results in a hostile or discriminatory environment to an individual or group described above.
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group (as described above) to participate in or benefit from a school program or activity of the Dennis-Yarmouth Regional School District; or (ii) creates an intimidating, threatening or abusive educational environment.

Many forms of harassment have been recognized as violations of the civil rights laws (including Section 504 of the Rehabilitation Act of 1973, the ADA, Title VI, Title DC and state statutes like M.G.L. 151C) by federal courts, state courts, the U.S. Department of Education, Office for Civil Rights, and the Massachusetts Commission Against Discrimination.

“Sexual harassment” is defined as unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

Submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly as a term or condition of employment, academic standing, school-related opportunities, or as a basis for employment decisions.

Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating, hostile, humiliating, or sexually offensive work or educational environment.

While it is not possible to list all circumstances that may be considered sexual harassment, the following are examples of conduct that violate the law and policy and which, if severe and pervasive, constitute sexual harassment. In each case, such a determination will depend upon the totality of the circumstances, including the severity of the conduct and its pervasiveness. Sexual harassment includes, but is not limited to:

- Unwelcome sexual advances, whether they involve physical touching or not.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- Sexual epithets, jokes, written or verbal references to sexual conduct, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess.
- Discussions of one's own sexual activities or inquiries into others' sexual experiences.
- Displaying sexually suggestive objects, pictures, and cartoons.

The definitions of discrimination, harassment and sexual harassment are broad. In addition to the above examples, other unwelcome conduct, whether intended or not, that has the effect of creating a school environment that is hostile, offensive, intimidating, or humiliating may constitute discrimination, harassment and/or sexual harassment.

Nondiscrimination on the Basis of Handicap

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

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

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

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

type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

Harassment Complaint Procedure

Any member of the school community who believes that he/she has been subjected to sexual harassment will report the incident (s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.

The grievance officer will attempt to resolve the problem in an informal manner after conferring with the charging party for purposes of clarity and interview witnesses involved. After collecting statements and any relative evidence, the grievance officer may attempt to resolve the matter informally through reconciliation and/or report the incident and transfer the record to the Superintendent. In the event the Superintendent is referred for the incident, parties shall be notified by certified mail.

The Grievance Officers: Maria Lopes, Director; Office of Pupil Services *and/or* Kenneth Jenks, Assistant Superintendent; DYRSD; 296 Station Avenue; So. Yarmouth, MA 02664; 508-398-7605.

The state agency responsible for enforcing the laws prohibiting harassment is the Massachusetts Commission Against Discrimination (“MCAD”). The MCAD is located at One Ashburton Place in Boston, Massachusetts. The agency responsible for enforcing federal laws prohibiting harassment is the Equal Employment Opportunity Commission. The EEOC is located at One Congress Street, Boston, Massachusetts.

Requirement to Report Educator Misconduct

As a reminder, Massachusetts Superintendents are required to report to the Commissioner of Elementary and Secondary Education in writing whenever a licensed educator is dismissed, not renewed or resigns after committing misconduct that might warrant revocation or other limitation of the educator's license. The reporting requirement is designed to ensure that, as the licensing authority for Massachusetts educators, the Commissioner is made aware of misconduct that may call into question the "sound moral character" that state law requires of every licensed educator. The grounds that may trigger license action are set forth in the Educator Licensure Regulations at 603 CMR 7.14(8)(a)

The grounds include conviction of certain crimes, loss of another professional license, demonstrated unfitness, and gross misconduct or negligence in the conduct of the license holder's professional duties. Please note that the regulation does not require reporting of dismissals or non-renewals for reasons of poor job performance or other factors that do not implicate the grounds for license action in 603 CMR 7.14 (8)(a).

The state regulation, 603 CMR 7.14 (8)(h), reads as follows:

(h) Administrators' Obligation to Report. Any administrator who has dismissed, declined to renew the employment of, or obtained the resignation of any educator for any of the reasons cited in 603 CMR 7.14 (8) (a) shall report in writing such resignation or dismissal and the reason therefore to the Commissioner within 30 days. This obligation to report also applies when an

administrator acquires relevant information after an educator's dismissal, resignation, or non-renewal. Failure to make such reports shall be grounds on which the Commissioner may revoke the administrator's license.

Please note that this reporting requirement is separate from the duty of a school administrator or other mandated reporter under the child abuse law, Mass. General Laws c. 119, § 51A, to report suspected child abuse or neglect immediately to the Department of Children and Families (formerly called the Department of Social Services), regardless of whether the suspected perpetrator is an educator.

HEALTH AND SAFETY



Staff Health

Through its overall safety program and various policies pertaining to school personnel, the School Committee shall seek to insure the safety of employees during working hours and assist them in the maintenance of good health. It shall encourage all its employees to maintain good health and practice good health habits.

Under the following circumstances, the School Committee may require physical examinations of its employees.

New Hire Certificate of Health:

As a condition of employment, all newly appointed employees of the DYRSD are required to submit a certificate of occupational fitness from their Primary Care Physician. This certificate certified by the employees Primary Care Physician verifies that the employee is of sufficiently sound health and physically able to perform the work.

Special Examinations:

The School Committee recognizes that an individual's medical diagnosis is privileged information between the patient and medical professionals. However, whenever a staff member's medical condition is such that it interferes with her/his ability to perform her/his duties or there is a risk to the health and safety of others, the district has a responsibility to take necessary steps to evaluate the employee's condition and make appropriate employment decisions.

If the employee has a physical and/or mental health condition, disease or illness which may interfere with her/his ability to perform her/his duties or which may pose a significant risk to the health, safety or welfare of the employee or others, the School Committee may request physical examinations and/or mental health examinations of the employee. The school district shall select a mutually agreeable medical professional to conduct such examination and the School Committee shall pay for such examination.

Communicable Diseases:

An employee with an acute, common communicable disease shall not report to work during the period of time in which s/he is contagious/infectious. The district reserves the right to require a physician's statement prior to the employee's return to work.

Any employee who becomes aware that s/he has a long-term, communicable disease, which, although life-threatening, poses little risk of transmission in a school setting, is encouraged to report to a designated school administrator that s/he is afflicted with the disease. In all instances, district personnel shall respect the individual's right to privacy and treat any medical diagnosis as confidential information. Special precautions should be taken to protect information regarding an employee's health condition in order to prevent instances of disclosure that may invade the personal privacy of the employee.

The school district shall endeavor to treat these employees in a fair, non-discriminatory, and confidential manner consistent with the district's legal obligations. Federal and state law mandate, pursuant to provisions protecting handicapped individuals, which such employees shall not be discriminated against on the basis of their handicaps and that, if it becomes necessary, some reasonable accommodations be made to enable qualified individuals to continue work.

Personal Security and Safety

Any assault on a staff member will be promptly reported to the immediate supervisor who will report to the Superintendent or her/his other designated representative. In the case of a student assaulting a teacher, the student will be suspended pending a parent, teacher, and principal conference. The district will render all reasonable assistance to the staff member in connection with handling the incident by law enforcement and judicial authorities.

Workers' Compensation

The district will provide Workers' Compensation insurance for all employees. Employees who are injured at work and subsequently receive Workers' Compensation benefits may supplement the benefit pay with deductions from available sick or vacation leave until such leave is exhausted.

Safety and Security

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

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

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

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

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

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

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

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

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

Automated External Defibrillators (AED)

Automated External Defibrillators are available in public areas of every school building and are accessible to the general public in the event of a cardiac emergency in the building when school is not in session. AED's are located in the Main Lobby of every school. The Dennis-Yarmouth Regional High School has five additional AED's located outside of the classroom 013, 106, 203, 406, and the Athletic Training Room.

Accident Reports

Dennis-Yarmouth Regional School District requires that an accident report be filed for every accident that takes place on school property, or that involves a school vehicle, students or staff on school-sponsored trips, or staff members on authorized school business trips. Such accident reports are required whether or not there is physical injury or property damage.

All student accidents on the way to and from school and on school property will be reported to the Superintendent through the principal. Any on the job accidents involving employees will also be reported in a timely manner, **within 24 hours of the accident**.

For accidents involving students, the teacher responsible for the student when the accident occurred will file an accident report with the principal on the same day. School personnel will report other accidents occurring off school grounds at school-sponsored events or involving school transportation vehicles within 24 hours to the school nurse and principal.

Accident report forms provided to each school principal will be used to document information that (1) might be helpful in preventing similar accidents in the future; (2) is needed for filing insurance claims; (3) might be important in case of litigation.

Emergency Plans

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

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

The Superintendent shall annually review the response sequence with local police and fire officials. Plans shall be submitted to local police and fire officials and the DESE at least every 3 years by September 1 or when changes occur. Plans must be updated in the case of new construction or other physical changes to the school campus.

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

School Delays, Closings and Cancellations

In the event of inclement weather or mechanical breakdown, school may be closed. The Blackboard Connect (Electronic Phone Tree) system will also be used to announce school closings.

"No School" or "Delayed Opening" announcements are made over the following radio stations beginning at 6:00 a.m.: WXTK 95.1 FM, WQRC 99.9 FM, and WCOD 106.1 FM and on the following TV stations: WRKO/WHDH (CH 7, CH 56), WCVB (CH5), WBZ (CH4) and Fox 25.

School closing and/or delayed opening announcements will be posted on the district website at <http://dy-regional.k12.ma.us>.

Security

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

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

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

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

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

School Access:

Each school in the district has a security system installed. The Technology Department issues security cards with unique Personal Identification Numbers to each employee with an appointed position. The employee's card provides access for each building where the employee will work. Employees will be responsible for lost or stolen security cards.

Every employee shall return the employee's ID and security card to the principal of employee's assigned building or the Personnel Department upon termination of employment.

Staff I.D.'s:

Each employee of the School District, including administrators, faculty, staff, coaches, and part-time employees, must wear the employee's school ID badge while on School District property. ID badges will be issued to all new employees through the individual schools or the Benefits Office. The ID must be visible at all times during school hours. The ID shall be displayed on the assigned lanyard hanging from the neck or clipped to clothing so that it is easily visible.

In the event that an official ID badge is unavailable for any employee, the front office of each school shall issue a temporary identification badge. The temporary ID shall be returned to the front office each time the employee exits the school.

Personal Identification and Right to Eject:

School personnel may require identification of any person on school property. Also, the principal or her/his designee may refuse to allow persons with no legitimate business to enter school grounds and/or may eject any person from school grounds if that person refuses to leave peacefully upon request.

Violations of State or Local Law:

Persons who violate state or local laws including but not limited to trespassing on school grounds, smoking on school grounds, damage to school property, or loitering, will be reported to school authorities as well as the local Police Department.

Vandalism

The School Committee recognizes that acts of vandalism committed against public and private property are costly and require positive action through educational programs. Consequently, the Committee will support various programs aimed at reducing the amount of vandalism.

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

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

Parents and students will be made aware of the legal implications involved. Reimbursement will be sought for all or part of any damages.

Food Services

The Food Services Program will not be open to the general public. School employees and authorized visitors may participate in the Food Services Program at adult prices of \$4.00 (tax included)

Rules and Regulations:

All rules and regulations and policies of the district will be complied with by all groups or persons granted permission for use of Food Services facilities.

Storage of Food:

Food and/or ingredients intended for personal use by employees will not be stored or processed in Food Services facilities. Food Services facilities are not available for personal use by employees. If outside groups need to use the facilities, pre-approved arrangements must be made in advance.

Telephone Service

Under no circumstances may long distance calls or toll calls of a personal nature be made at the District's expense. Accepting personal, collect calls and charging personal long distance phone calls to the District is prohibited.

The use of Directory Assistance is also discouraged. Almost all phone numbers are listed in local phone directories or on various internet web sites.

The District uses the Centrex System, a toll system that keeps a log and charges for all long distance and Directory Assistance calls made on District phones. A monthly printout of calls is forwarded to each school for review.

Cell Phone Use

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

The possession or use of cell phones and PCDs are prescribed for employees are as follows:

1. Employees of the Dennis-Yarmouth Regional School District are granted permission to possess and use cell phones and PCDs in the official job capacity consistent with their job descriptions.

2. Employees who possess and use cell phones and PCDs in their official job functions will be provided a cell phone or PCD owned by the Dennis-Yarmouth Regional School District. The use of these units is for school business only. Any personal calls may be charged against the employee if the call causes a financial charge to the district.
3. Designated employees who are issued school-owned cell phones and other communication devices should keep their phones and PCDs on and charged during the workday and while conducting school business/events.
4. Employees who own a personal cell phone and/or PCD must ensure that the device does not ring or interrupt the academic classroom environment or the job performance of the employee. Employees must take pro-active steps to ensure that the cell phones do not ring during their instructional or business hours.
5. The School Committee may review employee phone call records and charges for any school owned cell phone or PCD at any time.

Personal Appearance

The District expects an employee to dress in a manner suitable for the work involved and consistent with good taste and good personal hygiene. All employees are expected to conform and model the student dress code, which may vary slightly from location to location. Otherwise, an employee should be guided by employee's supervisor with regard to any special clothes or equipment needed for the job.

Customer Service

District employees serve the students of the District, their parents/guardians, and all the residents of the towns of Yarmouth and Dennis. Their work will probably bring an employee into frequent contact with the public. Courtesy, tact, and helpfulness on the employee's part is expected, and will do much to create the positive image District employees deserve.

SCHOOL FACULTY AND ADMINISTRATION

Employment Practices

All teachers and assistant principals who are assigned to one location (school) will be appointed only upon approval of the Superintendent. Should a person nominated by the principal be rejected by the Superintendent, it will be the principal's duty to make another nomination. All nurses, coaches, and teachers assigned to more than one school site will be appointed by the Superintendent.

The Superintendent will ensure that all persons recommended for employment are certified or certifiable as per Department of Elementary and Secondary Education requirements, as well as the qualifications established for the position by the Committee. All candidates will be considered on the basis of their merits, qualifications, and the needs of the district.

Certification and Credentials:

In accordance with M.G.L.A. c.71, sec. 38g, no person shall be eligible for employment as a teacher, guidance counselor, director, school psychologist, school adjustment counselor, school social worker, school nurse, library media specialist, school business administrator, principal, supervisor, director, assistant superintendent of school, and superintendent of schools by a school district unless he has been granted by the commissioner a provisional, or standard certificate with respect to the type of position for which he seeks employment; provided, however, that nothing herein shall be construed to prevent a school committee from prescribing additional qualifications; and provided further, that a superintendent may upon request be exempt by the commissioner for any one school year from the requirement in this section to employ certified personnel when compliance therewith would in the opinion of the commissioner constitute a great hardship in securing teachers for that school district. During the time that such a waiver is in effect, service of an employee of a school district to whom the waiver applies shall not be counted as service in acquiring professional teacher status or other rights under section forty-one.

Failure to obtain or maintain a valid certificate and highly qualified status under the Every Student Succeeds Act (formerly No Child Left Behind) will be cause for termination of employment.

Coaching Staff:

All coaches of interscholastic and competitive/extracurricular sports must possess an "Interscholastic Coaching" certificate, or have successfully completed a college or university course on health and safety of participants (3 hours) and a cardio-pulmonary resuscitation (CPR) course either prior to or during their initial year of employment.

Each succeeding year, all coaches must attend an approved three (3) hour sports-related first aid training program.

Substitute Employment

The School Committee believes that the role of the substitute is highly important for maintaining continuity in teaching and learning. An effective program for selecting and assigning all substitutes and evaluating their performance will be established by the professional staff under the direction of the Superintendent. Persons wishing to substitute teach in the district will make application through the Administration office.

Whenever possible, a substitute teacher will be a person who is employed in the absence of the regular teacher and who possesses knowledge in the area of assignment and demonstrated successes in teaching.

The substitute teacher lists will be prepared in the office of the Superintendent by the Human Resource Coordinator who will maintain a complete file on all substitute teachers.

Only employees who have retired from our system, resigned without prejudice, or who have received notice of a reduction in force may substitute in our school district.

The Superintendent may revoke the authorization of any individual to serve as substitute support staff for violation of any such standards, policies, or regulations.

Termination of Employment

Termination of employment will be governed by state statutes and applicable language in the current collective bargaining agreement or individual contract.

Voluntary Resignation

A staff member should submit adequate written notice to employee's supervisor before voluntarily leaving the District. Those individuals whose responsibilities are determined by the academic calendar are expected to fulfill their commitments through the academic year. Members of the teaching staff are encouraged to inform the Administration by October 1 of their intention not to return the following year. More advance notice may be required per individual contract or collective bargaining agreement. Clerical and service staff members are expected to provide a minimum of two weeks' notice.

Any unauthorized absence from employment for two or more consecutive days constitutes a voluntary resignation from employment.

Involuntary Separation

Employment is not guaranteed to any employee. Termination of an individual may result from reorganization, financial circumstances or lack of work. Written notice of termination for such reasons will conform with the requirements of individual labor contracts.

Continuation of Benefits after Separation

If an employee participates in group insurance plans through the District, the employee may be eligible to continue coverage after separation. Please see COBRA Coverage in the Insurance section of this handbook.

Rehire

Employees who leave the Dennis-Yarmouth Regional School District in good standing and later wish to return are eligible for consideration for rehire provided an appropriate position is available. A previous employee who is rehired is not guaranteed credit for prior service for purposes of vacation eligibility, seniority, and other pertinent benefits.

Retirement

All full-time non-instructional personnel are required to participate in the Barnstable County Retirement System. Periodically, the superintendent will present to the committee the names of support staff members who have indicated their intentions to retire.

ROUTINE BUSINESS

Expense Reimbursement - DKC

The Dennis-Yarmouth Regional School District recognizes that, for many employees, travel expenses are incurred in order to further the mission of the District. Personnel and school department officials who incur expenses in carrying out their authorized duties will be reimbursed by the school department upon submission of a properly completed and approved voucher and any supporting receipts required by the Superintendent.

When official travel by a personally owned vehicle is authorized, mileage payment will generally be made at the rate currently approved by the Internal Revenue Service.

Lodging Expense

Hotel and lodging expenses will be reimbursed for an employee only and up to a reasonable amount consistent with the going market rate for the city of the conference. It is suggested that hotel expenses be charged to the individual's personal credit card and that receipts for these charges be submitted with the *Travel Request Form*. Receipts must be submitted for all expenses claimed except incidental expenses such as tips, taxi expenses, public transportation fares, and parking. Reimbursement will be in an amount up to a reasonable daily allowance.

Private Vehicle Use

The District will reimburse employees for required use of private vehicles for official, approved travel between schools and other official, approved, local travel. The School Committee uses the Internal Revenue Service federally set rate for mileage (\$0.535 per mile as of July 1, 2017). Local travel expense should be submitted to the Business Office quarterly on a *Mileage Expense Form*. No requests for reimbursement submitted after the fiscal year ends will be honored.

Reporting Absences from Work

Regular, consistent, and reliable attendance on the job is important to the District's operation. Frequent or unnecessary absence from work, tardiness in reporting to work, or leaving work early puts an added burden on fellow employees; interferes with the District's ability to perform its business, education; will seriously impair the value of an employee's services; and will be sufficient cause for termination or other disciplinary action. Whenever possible, elective surgery should be scheduled at a time that will cause the least disruption to an employee's ability to successfully perform the functions of employee's position.

An employee who must be absent from work is expected to notify his or her supervisor **as soon as possible**, and to keep the supervisor regularly informed during any extended absence (three days or more). In like manner, employees should call their supervisors if they are going to be late for work. In addition to oral notification, an employee is required to complete a "Leave of Absence Form" for every absence. The form must be completed at least two days before the absence for any anticipated absences or immediately upon return for any unanticipated absences. The principal or supervisor must approve completed forms.

Each supervisor is responsible for keeping accurate records of an employee's absences. The Dennis-Yarmouth Regional School District reserves the right to request a medical examination or doctor's certificate during or following an illness.

Family Medical Leave Act

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to twelve workweeks of leave in a 12-month period for:

- The birth of a child and to care for the newborn child within one year of birth;
- The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- To care for the employee's spouse, child, or parent who has a serious health condition;
- A serious health condition that makes the employee unable to perform the essential functions of his or her job;
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or
- Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

Massachusetts Parental Leave Act

An Act Relative to Parental Leave expands the current maternity leave law, G.L. c. 149, § 105D, which is enforced by the Massachusetts Commission Against Discrimination (MCAD). Currently, Massachusetts law requires employers with six or more employees to provide eight weeks of unpaid maternity leave for the purpose of giving birth or for the placement of a child under the age of 18, or under the age of 23 if the child is mentally or physically disabled, for adoption. The new law goes into effect on April 7, 2015 and expands the current leave law in the following ways:

- The parental leave law is now gender neutral. Both men and women are entitled to parental leave.
- If the employer agrees to provide parental leave for longer than 8 weeks, the employer must reinstate the employee at the end of the extended leave unless it clearly informs the employee in writing before the leave and before any extension of that leave, that taking longer than 8 weeks of leave shall result in the denial of reinstatement or the loss of other rights and benefits.
- The law clarifies that the right to leave applies to employees who have completed an initial probationary period set by the terms of employment, but which is not greater than 3 months.

- The law expands the notice requirements, mandating that employers keep a posting in a conspicuous place describing the law’s requirements and the employer’s policies as to parental leave.
- The law provides that if two employees of the same employer give birth to or adopts the same child, the two employees are entitled to an aggregate of 8 weeks of leave.
- The law clarifies that an employee seeking leave must provide at least 2 weeks’ notice of the anticipated date of departure and the employee’s intention to return, but also permits the employee to provide notice as soon as practicable if the delay is for reasons beyond the employee’s control.
- The law clarifies that an employee on parental leave for the adoption of a child shall be entitled to the same benefits offered to an employee on leave for the birth of a child

Student Confidentiality & FERPA

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of personally identifiable information contained in a student’s educational record. FERPA applies to all schools (K-12 and postsecondary institutions) that receive funds under various programs from the US Department of Education.

FERPA defines “educational records “as records containing information in any medium (paper, electronic, microfilm, etc.) that directly relate to a student and are maintained by an educational institution or by a party acting for the institution. The information listed below is not considered part of an educational record and thus is not regulated by FERPA. However, the information may be regulated or protected by other federal and state laws.

Items not considered part of an educational record include:

1. Records kept in sole possession of the maker that are not accessible or revealed to any other person except as a temporary substitute;
2. Certain law enforcement records
3. Employment records that relate exclusively to the individual as an employee;
4. Record that contain only information about an individual after s/he is no longer a student.

Anyone who handles personal information about students or other employees has the obligation to maintain strict confidentiality. Records must be treated confidentially and professionally. They may be discussed only with individuals authorized to have access to such records.