

SCHOOL COMMITTEE POLICY MANUAL

SOUTHERN BERKSHIRE REGIONAL SCHOOL DISTRICT SHEFFIELD, MASSACHUSETTS 01257

This manual contains the official policies of the Southern Berkshire Regional School Committee; the major regulations intended to implement policy; and certain reference or "exhibit" documents that relate to policies and/or regulations.

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

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

How to Use this Manual

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

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

Please Note: All copies of this manual are the property of the Southern Berkshire Regional School District.

How the Manual is organized

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

- A -- FOUNDATIONS AND BASIC COMMITMENTS
- B -- SCHOOL BOARD GOVERNANCE AND OPERATIONS
- C – GENERAL SCHOOL ADMINISTRATION
- D – FISCAL MANAGEMENT
- E – SUPPORT SERVICES
- F – FACILITIES DEVELOPMENT
- G – PERSONNEL
- H – NEGOTIATIONS
- I – INSTRUCTIONAL PROGRAM
- J – STUDENTS
- K – SCHOOL-COMMUNITY RELATIONS
- L – EDUCATION AGENCY RELATIONS

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

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

How to find a policy: There are two ways to find a policy (or regulation) in the manual:

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

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

What if you can find the term and code, but there is no policy or regulation? This probably means that the school system has no written policy or important regulations in that particular area. All terms used in the classification system appear in the sectional tables of contents and Code Finder Index to accommodate the coding, insertion, and finding of policies or regulations that may be issued later. But there is one other possibility. A brief statement related to the policy you are seeking may be incorporated in a "superior" policy, which covers the area generally. This "superior" policy will be coded under a more general term. To find it, read up the classification system. For example, a policy statement, which relates to all meetings of the school committee, might be filed under "School Board Meetings" (BD) rather than "Regular Board Meetings" (BDA). (Please note: In the classification system and Code Finder Index, read "School Committee" for "School Board".)

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

- R This symbol following a code indicates that the statement is a regulation, not a committee policy. The statement appears on a yellow, rather than a white, sheet.
- E Exhibit. This symbol following a code indicates that the statement is a reference document such as a calendar, application form, etc., rather than a policy. Such statements are printed on green paper.

- Also:** Certain policies bear two codes in the upper right hand corner. The second is in parentheses and is preceded by 'Also'. This means that the identical policy (or regulation) is filed under both codes.
- Dates:** Where possible, the original date of adoption/issuance appears immediately following each policy or regulation. In other instances, an approximate adoption or re-approval date is used.
- LEGAL REF.:** Pertinent legal references are given to inform the reader where in state law s/he may find the statutes that relate to a specific policy. Unless otherwise noted, all references direct the reader to the General Laws of the Commonwealth of Massachusetts (cited as M.G.L., Chapter and section).
- CONTRACT REF:** Agreements reached through negotiations with recognized staff organizations have the full force of committee policy. References to negotiated agreements are provided, as appropriate, to direct the reader to statements in these agreements.
- CROSS REF.:** Certain policies and regulations relate to others. Cross-references are provided following many statements to help the reader find all of the related information needed.

About School Committee Policies

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

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

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

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

- State and federal governments require school committees to make or officially approve detailed regulations, and procedures in certain areas.

- A School Committee signs contracts and agreements that may contain and interweave policies, regulations, and procedural detail.
- The public, staff, or school committee members may demand that the School Committee itself, not the administration, establish specific regulations and procedures in certain sensitive areas.

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

1. When the school system's practice in a particular area is established by law, any informational statement covering the practice is presented as "policy" and is printed on a white page. (A law may, of course, be quoted or referred to in a regulation.)
2. When a school system's practice in a particular area has been established through a negotiated agreement, any statement pertaining to that practice is presented as "policy".
3. Where the School Committee has interwoven regulations with policy and where separation would interfere with their meaning, the entire statement is presented as a policy.
4. Where the School Committee has adopted rules and by-laws concerning its own organizational and operating procedures, these statements appear as policy.

As long as the administration operates within the guidelines of policy adopted by the committee, it may issue regulations without prior committee approval, unless law requires committee action, or unless the committee has specifically asked that certain types of regulations be submitted for committee approval. The School Committee is to be informed of all school system regulations issued by the administration. All such regulations are subject to committee review.

Is the Manual Complete?

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

Additionally, state laws; and regulations change. No matter how well conceived and well developed, a policy manual can never be 100% complete and 100% up-to-date. Policy development is a continuing process. From time to time, new policies, regulations, and reference documents will be developed, coded under the classification system, and issued for insertion in the manual. Should the need arise, supplemental sub codes may be added to the classification system to accommodate topics not covered by existing codes.

Order of precedence. School committee policies and regulations, as well as negotiated agreements with staff bargaining units, must be read and interpreted in the light of the Massachusetts General Laws and State regulations. Wherever inconsistencies of interpretation arise, the law and state regulations prevail. A conflict between a local policy or regulation and a negotiated agreement must be interpreted in line with the contract for members of the particular bargaining unit.

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

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

SECTION A

FOUNDATIONS AND BASIC COMMITMENTS

AA	School District Legal Status
AA-E	Regional Agreement
AC	Nondiscrimination
ACA	Nondiscrimination on The Basis of Sex
ACAB	Sexual Harassment
ACAC	Student Sexual Harassment
ACAD	Employee Sexual Harassment
ACE	Nondiscrimination on The Basis of Handicap
AD	Educational Philosophy
ADA	School District Goals and Objectives
ADF	Wellness Policy
AF	Commitment to Accomplishment
AFA	Evaluation of School Board Operational Procedures
AFA-E	Evaluation of School Board Operational Procedures - Exhibit
AFC	Evaluation Of Professional Staff

SCHOOL DISTRICT LEGAL STATUS

Education in the Southern Berkshire Regional School District is legally founded in the will of the people as expressed in the Constitution and the laws of the commonwealth. The district was established through a formal agreement instituted according to the terms of Sections 14 and 15 of Chapter 71 of the General Laws of Massachusetts, which govern the establishment of regional school districts.

This district came into being in 1953 by virtue of the enactment of Chapter 422 of the Acts of 1953 validating the partnership of the towns of Egremont, Monterey, New Marlborough, and Sheffield for the purpose of conducting public education. Chapter 282 of the Acts of 1954 validated the admission of the Town of Alford to the district.

Under the terms of the regional agreement, the regional school district assumes responsibility for public education in the five member towns. (The regional agreement is included in its entirety as an exhibit following immediately in this manual.)

Established through statute.

Approved for inclusion: date of manual adoption

LEGAL REFS.: Constitution of Massachusetts, Part II, Chapter V, Section II
Massachusetts General Laws, Chapter 71

CROSS REFS.: AA-E, School District Legal Status (Regional Agreement)
BB, School Committee Legal Status

REGIONAL AGREEMENT
ESTABLISHING THE
SOUTHERN BERKSHIRE REGIONAL SCHOOL DISTRICT

ESTABLISHED MAY 28, 1953

AMENDMENTS:

- April 6, 1954 Town of Alford enters. Amends sections 1 and 2.
- Acts of 1973
(Ch. 1025) Date of annual organizational meeting of the School Committee thereby changed. Amends sections 2(c) and 8(a). School Committee adopts new organization meeting date as of August 21, 1975. School Committee adopts new budget schedule as of January 24, 1974, adding section 8(b) for this purpose.
- May, 1975 Operation of elementary schools in the several member towns. Amends section 3(a). Amendment of the original 3(a) adopted by School Committee April 4, 1974 and voted by the member towns in May, 1974 is further amended by School Committee action of March 13, 1975 for purpose of clarifying the language of this amendment. Member towns ratify this in annual elections of 1975.
- May, 1995 Date of Official Enrollment Count Changed to October 1. Amends Section 4(e) by providing that the District=s official enrollment count be October 1, changing the date from the previously existing January 1. Amendment adopted by School Committee September 1, 1994 and voted by member towns at annual town meetings in May of 1995.
- June 8, 1998 Method of Selecting School Committee Members Changed to Appointive Process: Amends Section 2, AThe Committee@, to provide that School Committee members be appointed by their respective town select boards. (Per United States District Court, District of Massachusetts, Judgment, Case #96-30115-MAP)
- May, 2001 Towns Vote to Calculate Each Member Town=s Operating Budget Contribution based on a Rolling Average of total pupil enrollment (per ballot, attached). Agreement effective FY=03 through FY=11.
- May, 2008 Method of Selecting School Committee Members Changed to Elective Process: Amends Section 2, "The Committee", to provide that School Committee members be selected through District-wide elections, with residency requirements.

May, 2009

Towns vote to calculate each member towns' portion of the operating assessments on a basis of 50% statutory and 50% alternative (per the 2001 amendment) for FY 2010, and 75% statutory and 25% alternative for FY 2011.

Amendment voted at May, 2009 Annual Member Town Meetings:

"To see if the town will vote to suspend the current "Alternative Method" used to calculate each member town's contributions to the operating and transportation budget of the Southern Berkshire Regional School District, (hereinafter "District"), for fiscal year 2010 and 2011 by amending the SBRSD Regional Agreement by inserting the following at the end of the May, 2001 amendment for calculating each member town's contributions to the operating and transportation budget of the District effective FY 2003 through FY 2011:

"For Fiscal Year 2010, the operating and transportation budget of the District will be allocated to each member town by the following formula: the sum of 50% of assessment calculated through the Alternative Method and 50% of assessment calculated through the Statutory Method. For Fiscal Year 2011, the operating and transportation budget will be allocated to each member town by the following formula: the sum of 25% of assessment calculated through the Alternative Method and 75% of assessment calculated through the Statutory Method."

Yes

No

Amendment voted at May, 2001 Annual Member Town Meetings:

To see if the Town will:

vote pursuant to M.G.L. c. 71, §16B as amended by St.1996, c.151, §220, to calculate the Town's and each member town's contributions to the operating budget of the Southern Berkshire Regional School District (hereinafter "District") for fiscal years beginning July 1, 2002, through June 30, 2011 (hereinafter "Second Interim Period") as a percentage of the operating budget for the District calculated as an average of total pupil enrollment for the Town and each member town of the District for prior years, as set forth below. Said local contribution for the Town and each member town of the District shall be recalculated annually during each year of the Second Interim Period on the basis of October 1 school census counts for preceding years as follows:

- FY'03 – Oct. 1 census counts of 1997, 1998, 1999, 2000, 2001
- FY'04 – Oct. 1 census counts of 1997, 1998, 1999, 2000, 2001, 2002
- FY'05 – Oct. 1 census counts of 1997, 1998, 1999, 2000, 2001, 2002, 2003
- FY'06 – Oct. 1 census counts of 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004
- FY'07 – Oct. 1 census counts of 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005
- FY'08 – Oct. 1 census counts of 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006
- FY'09 – Oct. 1 census counts of 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007
- FY'10 – Oct. 1 census counts of 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008
- FY'11 – Oct. 1 census counts of 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009

And;

A) to approve and authorize the provisions of an Agreement by and between the Towns of Alford, Egremont, Monterey, New Marlborough and Sheffield, by and through their Boards of Selectmen, and the Southern Berkshire Regional School District, by and through its District Committee, dated April 5, 2001 which provides:

1.) that the Town and the other member towns of the District will employ their best efforts to reach agreement on the methodology for calculating the District's operational budget assessments of the towns for the fiscal years beginning July 1, 2011 and that the Town, the other member towns of the District and the District agree that negotiations to reach such agreement will commence no later than fiscal year 2009.

Yes

No

REGIONAL AGREEMENT

1. THE DISTRICT.

A Regional School District (hereinafter referred to as the District) is hereby established under the provisions of Sections 14 and 15 of Chapter 71 of the General Laws and any amendments thereto, consisting of the Towns of Alford, Egremont, Monterey, New Marlborough and Sheffield (hereinafter referred to as the member towns). Said District shall be a body politic and corporate with all the powers and duties conferred by this agreement and by law upon regional district school committees and with such other powers and duties as may hereafter be conferred upon said District by law and by the member towns by amendment of this agreement or otherwise.

As Amended.

2. THE COMMITTEE.

The powers and duties of the District shall be exercised by and vested in a Regional District School Committee, (hereinafter referred to as the Committee). The Committee shall consist of 10 members with residency requirements as follows: one from Alford, two from Egremont, one from Monterey, two from New Marlborough and four from Sheffield.

- a. Pursuant to MGL c 71 § 14E, members shall be elected in biennial state elections in 2008 or no later than 2010 by way of district-wide elections with residency requirements, which will result in the required number of members who are residents of the appropriate town, to serve for a term of four years and thereafter until their respective successors have been duly elected and qualified. For the purposes of arrangement on the ballot, offices having the same residency requirement shall appear on the ballot distinct from offices having different residency requirements, provided always that there shall appear on the ballot appropriate instruction to the effect, 'you may vote for every position on the Southern Berkshire Regional School District Committee, regardless of where you live in the District.'
- b) Transition from current appointive members to elective members shall be reached by continuing each Town's appointive process until elected member successors have been duly elected and qualified. In order to manage this transition, all current and any future appointive members of the school committee will have terms that cannot extend beyond the time elective successors would be duly elected and qualified.
- c) To fill member's positions vacated prior to the end of members elected terms, each town shall establish locally elected officials to act as appointive authority

pursuant to MGL c 71 § 14E (5).

- d) If any vacancy occurs among appointed or elected members after acceptance of this amendment, the appointive authority for school committee members in the town so affected and the remaining Committee member(s) of the town affected, acting jointly, shall appoint a member to serve until the next biennial state election, at which election a successor shall be elected to serve a full four year term. If any vacancy occurs in a town with only one member, the appointive authority from the town involved shall appoint a member to serve until the next biennial state election, at which election a successor shall be elected to serve a full four year term.

As Amended

3. THE DISTRICT SCHOOLS.

As soon as practicable the Committee shall acquire by purchase or otherwise land in the Town of Sheffield, as near as practicable to the population and geographical center of the District, and shall proceed with the construction, equipping and furnishing of a new school building. Said building shall include necessary facilities to house grades 7-12 for the entire District and, in addition, shall include four classrooms to house fifth and sixth grade students. The District shall thereafter construct and equip such additional school buildings as may be necessary.

- a. The District shall maintain and operate at least one elementary school which shall contain any individual grade or combination of grades among kindergarten and fourth grade inclusive in each of the member towns except as hereinafter provided. The individual grade or grades between kindergarten and the fourth grade inclusive to be so maintained or operated shall be determined from time to time by the School Committee in its discretion, and the member towns hereby give consent thereto, provided, however, that any member town with the approval of the Southern Berkshire Regional School District Committee may vote at any special or annual meeting in such town to discontinue the operation of the sole remaining school or kindergarten located within such member town. In each such instance the Southern Berkshire Regional school District Committee shall provide that suitable school facilities for students attending or entitled to attend such school, or schools be made available for them. The District shall assume all expenses of operation and maintenance of said schools and shall pay for insurance coverage or reimburse the member towns for any premiums paid by them.

As Amended.

4. COSTS.

For the purpose of apportionment among member towns of the district, costs shall be classified as capital costs, operating costs, and transportation costs.

- a. Capital costs shall include cost of site, construction, laying out playgrounds and athletic fields, original grading, original equipment, and other costs incurred to put a new school plant into operation. Capital costs shall also include interest on indebtedness incurred to meet these outlays and the expense incident to the preparation, issuing, and marketing of bonds and other obligations. All subsequent improvements to the school plant which would be capitalized according to sound accounting practices shall be treated as capital costs.
- b. Each member town's proportionate share of the annual capital costs shall be determined to the nearest one hundredth of one percent by dividing the equalized valuation of that town by the total of the equalized valuations of all of the member towns of the District. (Equalized valuation figures shall be as set forth in Chapter 559, Acts of 1945, or such later equalized valuation as may be from time to time enacted by the General Court of the Commonwealth.)
- c. The payments of proportionate shares of said capital costs of each of the member towns for each year shall be made by the respective town treasurers by check payable to the District not later than 15 days preceding the date on which any bonds mature or interest becomes due, except that payments for any such debt falling due in January shall be made on or before the day preceding said maturity.
- d. Operating costs shall include all estimated expenses of the District except capital and transportation costs, including but not limited to salaries, administration expenses, wages, textbooks, supplies, additions to current equipment, repairs, maintenance and interest on temporary notes issued in anticipation of revenue by the District.
- e. Each member town's share of the total operating costs of the Regional District schools for each fiscal year shall be determined on a per pupil basis, by apportioning the total budgeted operating costs among the several towns in that proportion which the total enrollment in the District schools from each town on **October 1st** *of the previous calendar year bears to the total enrollment in the District schools on the same date.
(This section superseded by Educational Reform Bill of 1993)
[Amended, May, 2001 – see page 2]
[Amended, May, 2009 – see page 3] * As Amended.
- f. The District shall arrange for necessary transportation for pupils from all member towns attending the Regional District schools under provisions of applicable General Laws and special acts.
- g. Each member town's share of the total transportation costs shall be apportioned among the member towns in such a manner as to conform with the provisions of applicable General Laws and special acts.

- h. The payment for proportionate shares of said estimated operating and transportation costs of each of the member towns for each year shall be made, upon certification by the District treasurer as specified in section 8(s) below by the respective town treasurer by check payable to the District in four equal installments on the fifteenth day of March, May, August and November.

5. WITHDRAWAL FROM THE DISTRICT.

Any member town may petition to withdraw from the District under terms stipulated in a proposal to withdraw provided (1) that the town seeking to withdraw has paid over to the District any operating costs for which it became liable as a member of the District, and (2) that said town shall remain liable to the district for its share of the indebtedness of the District outstanding at the time of such withdrawal, and for the interest thereon, to the same extent and in the same manner as though the town had not withdrawn from the district, except that such liability shall be reduced by any amount which such town has paid over at the time of withdrawal and which has been applied to the payment of such indebtedness or interest.

- a. Said petitioning town shall cease to be a member town if the proposal to withdraw is approved by a majority of the Committee members from the remaining towns, and by the town proposing to withdraw, in the following manner: said proposal to withdraw shall be placed upon a printed ballot at an annual town meeting of the town proposing to withdraw and such withdrawal shall be come effective if it receives a majority of the votes cast thereon.
- b. Money received by the District from the withdrawing town for payment of funded indebtedness or interest thereon shall be used for such purposes only

6. ADMISSION OF OTHER TOWNS.

Any town may petition, by majority vote at an annual or special town meeting or by a petition bearing the signatures of a majority of the registered voters of the petitioning town, to become a member town in the District under terms stipulated in a proposed amendment to the agreement. Said petitioning town shall become a member town if the proposed amendment is approved by the Committee and accepted by the petitioning town and each member town, and provided further that the petitioning town shall also accept the agreement with any amendments thereto, approval by the Committee to be by a majority vote of the full membership, and acceptance by the petitioning town and by the member towns to be by majority vote at an annual or special town meeting in the manner provided in section 7 (b).

7. AMENDMENTS.

Except in matters relating to the payment or provision for payment of all bonded obligations of the District as provided for in section 4, this agreement may be amended from time to time by the following procedure:

- a. A proposal for amendment may be initiated by a signed petition bearing the signatures of 20 percent of the registered voters of any member town; or bearing the signatures of 200 registered voters of the District; said petition shall contain, at the end thereof, a statement by the qualified town clerk or clerks that such names as have been placed thereon are the names of registered voters and that the signatures appear to be genuine. In the alternative an amendment may be initiated by a majority of all of the members of the District Committee.
- b. Said proposal for amendment shall be presented to the secretary of the Committee who shall, within one week, notify the selectmen of each of the member towns that said proposal for amendment to this agreement has been received and said selectmen shall include said proposal in the warrant for their next annual or a special town meeting and shall direct the town clerk to place the proposal upon a printed ballot. When the member towns, by a majority vote in each town shall favor the amendment, said amendment shall be adopted thereby and made a part of this agreement.

8. THE BUDGET.

Annually, the Committee shall prepare a tentative operating budget for the ensuing fiscal year. Said tentative budget shall be posted in the town hall of each member town, shall be published at least once in a newspaper in general circulation in the District and copies shall be mailed to the chairman of the board of selectmen and the chairman of the finance committee in each member town. Said tentative budget shall contain a notice stating when and where a public hearing will be held thereon. Said hearing shall be held at least five days prior to adoption of the budget. Upon request of the finance committee of any member town the Committee shall arrange to meet with said finance committee for the purpose of discussing the aforementioned tentative budget. Said budget shall be in reasonable detail, itemized as follows: general control; expenses of instruction; operation of school plant, maintenance of school plant, auxiliary agencies; outlay; debt and interest charges; miscellaneous; the last named to specify all items costing \$100 or more. All non recurring expenditures shall be itemized. From the total of said budget there may be deducted any surplus of receipts for the preceding year over the costs as expenses for that year.

As Amended.

- a. The costs and expenses of the District, as set forth in the operating and maintenance budget, shall be apportioned among the member towns in the manner set forth in section 4 (e) and, together with transportation costs, apportioned among the member towns in the manner set forth in section 4 (g).As Amended.
- b. The Regional School Committee of the Regional School District shall adopt such annual operating and maintenance budget not later than 45 days prior to the earliest date on which the first business session of the annual town meeting of any member town is held but not later than March 31st of any year, provided that such annual budget need not be adopted prior to February 1st of any year, and the amounts of said annual budget so apportioned for each town in the District shall be certified to the treasurers of such towns within 30 days from the date on which said annual budget is adopted. As Amended.

9. THE ANNUAL REPORT.

The Committee shall submit an annual report to each of the member towns, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each town were computed, together with such additional information relating to the operation and maintenance of the Regional District schools as may be deemed necessary by the selectmen of any member town or by the Committee.

10. VOCATIONAL COURSES.

The Committee may, at its discretion, include in the curriculum of the District schools independent distributive occupations, industrial, agricultural, and household arts schools under Chapter 74 and practical art classes under Section 14 of said Chapter 74.

Current 1976

Revised: 11/18/76, Member Towns 5/78; 5/1995; 6/8/1998; 5/2001; 5/2008; 5/2009

Note: Photostat copies of the enabling legislation creating this agreement are kept in safety deposit boxes of the school district.

Southern Berkshire RSD, Sheffield, MA

NONDISCRIMINATION

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed in the following statements of school committee intent to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation and applicable judicial interpretations.
2. Encourage positive experiences in human values for children and youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Work toward a more integrated society and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The committee's policy of nondiscrimination will extend to students, staff, the general public and individuals with whom it does business; and will apply to race, national background, religion, sex, economic status, political party, age, handicap, sexual orientation, and other human differences.

Adopted: 2/16/95

Revised: 12/14/2006

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as Amended
by the Equal Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of 1972
Title IX, Education Amendments of 1972
Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
M.G.L. 71B:1 et seq. (chapter 766 of the Acts of 1972)
M.G.L. 76:5; 76:16 (Chapter 622 of the Accts of 1971)

Board of Education Chapter 622 Regulations Pertaining to Access
To Equal Opportunity, adopted 6/25/75, as amended 10/24/78
Board of Education Chapter 766 Regulations, adopted 10/74, as
amended through 3/28/78

CROSS REFS.: AC, Nondiscrimination
ACA-ACG, Subcategories for Nondiscrimination
FEGA, Contractor's Fair Employment Clause
GBA, Equal Opportunity Employment
JB, Equal Educational Opportunities

NONDISCRIMINATION ON THE BASIS OF SEX

The school committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The school committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The committee will designate an individual to act as the school system's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

Adoption Date: 2/16/95

LEGAL REFS.: Title IX of the Education Amendments of 1972
45 CFR, Part 86, (Federal Register, 6/4/75)
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
Board of Education Chapter 622 Regulations Pertaining to
Access to Equal Educational Opportunity, adopted 6/24/75,
amended 10/24/78

STUDENT SEXUAL HARASSMENT

I. Introduction

An important shared commitment of the Southern Berkshire Regional School District employees is to ensure a school setting where all students who are served by our schools are treated with dignity and respect and are free of sexual harassment. Sexual harassment by students of other students, employees, or any other person, occurring in the schools or in other settings connected to their school programs, is unlawful and will not be tolerated in our School District. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will also not be tolerated. To achieve the goal of providing a school setting free from sexual harassment, the conduct that is described in this policy will not be tolerated, and the District has provided a procedure by which inappropriate conduct will be dealt with if encountered by students.

The Department of Education's Office for Civil Rights has responsibility to legally enforce sexual harassment legislation known as Title IX. Title IX prohibits sex-based discrimination in education programs and activities operated by schools that receive federal financial assistance. Therefore, school districts are responsible under Title IX to provide students with a nondiscriminatory education environment. When a school employee learns of possible sexual harassment of a student, the employee must report the incident to the administrative officer designated by the Superintendent of Schools for the reporting of such incidents. The administrative officer shall immediately investigate the incident and promptly report the incident and the results of the investigation to the superintendent. Appropriate steps will be taken to end the harassment, to eliminate the effects of the harassment, and to prevent the harassment from recurring.

Because the Southern Berkshire Regional School District takes allegations of sexual harassment seriously, the District will respond promptly to complaints of sexual harassment, and where it is demonstrated that such harassment occurred, will act promptly to eliminate the harassment and impose such corrective action as is necessary, including disciplinary action where appropriate. Note that while this policy sets forth the District's goals of promoting a school setting that is free of sexual harassment, the policy is not designed or intended to limit the authority of the District to discipline or take remedial action for school setting conduct which is deemed unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

II. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this: “sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of success;
- or (b) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual’s learning or school performance by creating an intimidating, hostile, humiliating or sexually offensive school environment.

This legal definition of sexual harassment is broad and includes any sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a school culture or learning environment that is hostile, offensive, intimidating, or humiliating to male or female students and employees. While it is not possible for the Southern Berkshire Regional School District to list all those circumstances which would constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness.

- Unwelcome sexual advances -- whether they involve physical touching, or not;
- Requests for sexual favors in exchange for actual or promised benefits such as favorable reviews, continued enrollment, or positive achievement recognition;
- Assault or coerced sexual acts, pressure for sexual activity;
- Use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life; comment on an individual’s body; comment about an individual’s sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one’s sexual experiences, and
- Discussion of one’s sexual activities.

All students should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperation with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this school district.

III. Complaints of Sexual Harassment

If any District student believes that (s)he has been subjected to sexual harassment by another student(s), or if any student or other person associated with the District's schools has witnessed sexual harassment by another student, the student has the right to file a complaint with our School District. This may be done in writing or orally. The complaint may be filed by writing to the designated administrative officer. (The designated administrative officer will be listed each year in the student handbooks. Students may also contact the superintendent's office to obtain the name, address, and phone number of the administrative officer.) This person is also available to discuss any concerns a student may have and to provide information to students about the District's policy on sexual harassment and the complaint process.

IV. Sexual Harassment Investigation

When the complaint is received, the allegation will be investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation would include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed sexual harassment will also be interviewed. Parents of all students involved will be informed immediately. When the investigation is completed, the person filing the complaint will be informed of the results of that investigation.

V. Disciplinary Action

If the investigation reveals that sexual harassment did occur, the appropriate administrator(s) will act promptly to eliminate the offending conduct, and where it is appropriate, will also impose disciplinary action. Such actions may range from counseling to suspension from school, and may include such other forms of disciplinary action as deemed appropriate under the circumstances.

VI. State and Federal Remedies

In addition to the above, any student who believes (s)he has been subjected to sexual harassment may file a formal complaint with either or both of the following government agencies. Using the District's complaint process does not prohibit students from filing a complaint with these agencies. Each of these agencies has a short time period for filing a claim (EEOC – 300 days; MCAD - 6 months for events occurring on or prior to November 5, 2002; 300 days for events occurring after November 5, 2002).

The United States Equal Employment Opportunity Commission (EEOC)
1 Congress Street -- 10th floor

Boston, MA 02114
(617)565-3200

The Massachusetts Commission Against Discrimination (MCAD)

Boston Office:
One Ashburton Place, Room 601
Boston, MA 02108
(617)727-6000

Springfield Office:
424 Dwight Street, Room 220
Springfield, MA 01103
(413)739-2145

Office of Civil Rights
United States Department of Education
33 Arch Street, Ninth Floor
Boston, MA 02110

ADOPTED: 1/9/97
REVISED: 10/8/98; 5/29/03

LEGAL REF.: Title IX
Title VII, Sec. 703, Civil Rights Act of 1964, as Amended 45 Fed. Reg.
74676, Issued by Equal Employment Opportunity Commission
Chapter 278, MGL (Amends Chapter 151B, Sections 2 and 3)
Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX)
Board of Education 603 CMR 26:00

CROSS REF.: ACAD, Employee Sexual Harassment

EMPLOYEE SEXUAL HARASSMENT

I. Introduction

It is the goal of the Southern Berkshire Regional School District to promote a workplace where all people who work in or are served by our schools are treated with dignity and respect and are free of sexual harassment. Sexual harassment by school employees of employees, students, or any other person, occurring in the workplace or in other settings connected to their employment, is unlawful and will not be tolerated in our School District. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will also not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated, and we have provided a procedure by which inappropriate conduct will be dealt with if encountered by employees or students.

Because the Southern Berkshire Regional School District takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment, and where it is demonstrated to our satisfaction that such harassment occurred, we will act promptly to eliminate the harassment and impose such corrective action as is necessary, including disciplinary action where appropriate. Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

II. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this: “sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of student success or of employment or as a basis for employment decisions;
- or (b) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual’s learning or work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

This legal definition of sexual harassment is broad and includes any sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace or learning environment that is hostile, offensive,

intimidating, or humiliating to male or female students and employees. While it is not possible for the Southern Berkshire Regional School District to list all those circumstances which would constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness.

- Unwelcome sexual advances -- whether they involve physical touching, or not;
- Requests for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, continued employment, or positive achievement recognition;
- Assault or coerced sexual acts.
- Use of sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences, and
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperation with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this school district.

III. Complaints of Sexual Harassment

If any of our employees or students believe that they have been subjected to sexual harassment by a District employee, or if any District employee or other person associated with our school has witnessed sexual harassment by another employee, the employee or student has the right to file a complaint with our School District. This may be done in writing or orally. If you would like to file a complaint, you may do so by writing to the administrative officer designated by the Superintendent of Schools for the reporting of such incidents. This person is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process. The designated administrative officer will be listed each year in the staff handbooks. Employees may also contact the superintendent's office to obtain the name, address, and phone number of the administrative officer.

IV. Sexual Harassment Investigation

When we receive the complaint, we will then investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation would include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed

sexual harassment. When we have completed our investigation, we will inform the person filing the complaint of the results of that investigation.

V. Disciplinary Action

If our investigation reveals that sexual harassment did occur, we will act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action. Such actions may range from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

VI. State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the following government agencies. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of these agencies has a short time period for filing a claim (EEOC - 180 days; MCAD - 6 months).

The United States Equal Employment Opportunity Commission (EEOC)
1 Congress Street -- 10th floor
Boston, MA 02114
(617)565-3200

The Massachusetts Commission Against Discrimination (MCAD)

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

Springfield Office:
436 Dwight Street, Room 220
Springfield, MA 01103
(413)739-2145

Office of Civil Rights
United States Department of Education
33 Arch Street, Ninth Floor
Boston, MA 02110

ADOPTED: 1/9/97

REVISED: 12/14/2007

LEGAL REF.: Title VII, Sec. 703, Civil Rights Act of 1964, as Amended 45 Fed. Reg. 74676, Issued by Equal Employment Opportunity Commission
Chapter 278, MGL (Amends Chapter 151B, Sections 2 and 3)

Southern Berkshire RSD, Sheffield, MA

CROSS REF.: ACAC, Student Sexual Harassment

Southern Berkshire RSD Sheffield, MA

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 of the district's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs and activities of the district or be subject to discrimination. Nor shall the district exclude or otherwise deny services, programs or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition

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

Reasonable modification

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

Communications

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

Auxiliary Aids and Services

"Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assistive listening systems and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to

individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification

The district is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the district shall be made by the school committee after considering all resources available for use in funding and operating the program, service or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

Notice

The district shall make available to applicants, participants, beneficiaries and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs or activities of the district. The information shall be made available in such a manner as the school committee and superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator

The district shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The district shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA.

The school system receives federal financial assistance and must comply with the above requirements. Additionally, the school committee is of the general view that:

1. Discrimination against a qualified handicapped person solely on the basis of handicap is unfair; and
2. To the extent possible, qualified handicapped persons should be in the mainstream of life in a school community.

Accordingly, employees of the school system will comply with above requirements of the law and policy statements of the committee to ensure nondiscrimination on the basis of handicap.

Adoption Date: 2/16/95

LEGAL REFS.: Rehabilitation Act of 1973, Section 504
Education for All Handicapped Children Act of 1975
M.G.L. 71G: 1 et seq. (Chapter 766 of the Acts of 1972)
Title II, Americans With Disabilities Act of 1992
Board of Education Chapter 766 Regulations, adopted 10/74, as
amended through 3/28/78

CROSS REFS.: IGB, Special Instructional Programs and Accommodations
IGBA, Programs for Handicapped Students

EDUCATIONAL PHILOSOPHY

Acting in the belief that a set of guiding principles is integral to the successful operating of a school system, the faculty of the Southern Berkshire Regional School District has developed the following educational philosophy. This philosophy, subject to future reexamination and modification, should provide school personnel with a basis for thought and practice.

- I. School Philosophy and Our Students WE AGREE that our school district should strive toward the total development of each individual; that our school should encourage students to believe in themselves, and to come to school to learn rather than to be taught; that learning is essential to enter society and to maintain one's position in it; and that it is satisfying in itself. We further agree that our school district should attempt to instill in its students their responsibilities for themselves and their world.
- II. School Philosophy and Our Teachers WE AGREE that it is our teachers who largely determine the quality of education provided by the schools; that they should be aware of the developmental, emotional, intellectual, and social factors that influence students; that they would try to create a learning environment which develops the student into an inquiring, responsible, sensitive, happy individual. We agree that our teachers should be able to interrelate the many academic disciplines in such a way as to make the learning experience meaningful. We agree that it is our teachers who create and sustain the atmosphere of learning and that each teacher's personal attitude, maturity, language, code, relations with others, and his assumption of personal, professional, and civic responsibilities will serve as a model with which the students will identify. We agree that the learning process will be improved when the administration and staff work together.
- III. School Philosophy and Our Administrators WE AGREE that administrators are educators and administrative decisions should aim at promoting learning and improving instruction; that our administrators promote professional growth, discover and utilize the talents of staff, provide instructional leadership, and set the organizational climate of the school. WE agree that it is our administrators who must assume primary responsibility for seeing that the philosophies and policies of the school committee are implemented and state and federal laws are followed; and that within this framework the administrator should extend opportunity and stimulation for staff, parents, and community to work together collectively to arrive at decisions.
- IV. School Philosophy and Our Society WE AGREE that our school system should serve democratic ideals, the foundation of which is respect for the dignity and worth of individuals; that given man's mobility and the interrelatedness of society our school system's educational goals should reflect a concern for international

need and standards; that the school district can demonstrate its deepest human qualities through its willingness to serve society.

- V. School Philosophy and Our Educational Process WE AGREE that our educational process should be student centered and should reflect the learning needs of individual students; that the educational process shall be based on clear, measurable objectives, which should build towards excellence and be related and developed from district goals; that the educational process shall include a variety of learning experiences, (e.g. – small group instruction and large group instruction, alternative instructional modalities and provision for special needs); that such activities should ensure opportunity for success and include opportunities for doing and practice; that the educational process shall include periodic assessment and evaluation for the purpose of determining if the educational activities are meeting the desired objectives; that the educational process should encourage warm human relationships which are an essential element of daily living; that it should allow the individual's opportunity to discover his/her talents and freedom to explore areas of special interests.
- VI. School Philosophy and Our Learning Outcomes WE AGREE that each students should have opportunity suited to his/her needs so that with reasonable effort on his/her part, he/she may develop to his/her full potential, both intellectually and physically; that our education should develop good citizens with the skills necessary for rich, happy, and productive lives; that our students should be provided with a foundation of basic facts, skills, materials, and the means and desire of evaluating and applying these to the end that they may become efficient workers and good citizens. We agree that the learning outcomes should include: the capacity to think critically and draw dependable conclusions; the ability to acquire new appreciations, skills, ideas, and facts; and the understanding that learning is a continuing process. We agree that respect and appreciation of learning should be developed in our students so that they may continue to benefit throughout their lifetimes.
- VII. School Philosophy and Curriculum Development WE AGREE that changing times often demand change in the school; that the school must therefore be flexible; that it must be capable of adapting to changes in the needs of the students and the community; that response to change should be systematic, rational, and the result of careful study and planning; that methods and curricula should be introduced after the community has been involved in the selection of new methods and the staff has had time to learn and study them. We agree that the educational process takes place in a rapidly changing environment; that for this reason, the school district should maintain effective, progressive research and development programs.
- VIII. School Philosophy and Budgeting WE AGREE that the budget should be planned so that it is understood by the staff and community; that the programs to educate students should be adequate and appropriate to the realization of these philosophy statements as written and agreed upon. We agree that district goals and objectives provide the foundation and parameters of budgetary planning and

development; that the budgetary priorities and resulting programmatic emphasis show a close positive correlation to the goals and objectives established by the school committee to be accomplished within the fiscal year and that budgetary development be consistent with long range goals; that funds would normally be budgeted for new and additional programs of demonstrated effectiveness; and that when programs prove to be ineffective or too costly, other means should be explored and adopted to improve the district's efficiency.

- IX. School Philosophy and Performance Appraisal WE AGREE that when educators are given opportunities to participate in consistent and regular evaluations, they will be more inclined to improve their performance; that the need to make evaluation as positive an experience as possible suggests that clear, objective procedures be carefully developed; that performance evaluation results should be given to educators in written form as a basis for improvement; that there should be mutual agreement between the administrative and teaching staffs (in keeping with the contract) on the procedures to be employed; and that the emphasis in evaluation should be directed a the total educational results.
- X. School Philosophy and Inservice Training WE AGREE that the staff must evaluate their skills regularly and that the school district must provide resources and opportunities for staff development (in keeping with their contract); that inservice programs should be aimed at improving the skills of all district personnel; that these programs should be based upon a careful identification of staff needs; that the staff members should be involved in planning the inservice programs, but the responsibility for leadership in the establishment and maintenance of the program rests largely with the school administration and school committee.
- XI. School Philosophy and Discipline WE AGREE that a clear statement of disciplinary expectations of the school should be presented to students and parents; that these expectations should describe a pattern of basic self-discipline, consideration for individuals, and respect for property and authority. We agree that teachers should be involved in providing fair and just discipline, and students should be fully aware of the fact that the faculty has the full backing of the administration and the school committee; that the faculty and administration should urge parents, who have the primary responsibility for the disciplining of their children, to join with them in a renewed effort to enforce reasonable discipline at all levels; that good morale will lead to good discipline; that alternative approaches to education should be implemented for students who need it; and that positive reinforcement should be used whenever possible.
- XII. School Philosophy and Support Staff WE AGREE that our supportive staff, including cafeteria personnel, teacher aides, secretaries, maintenance, and custodial personnel, form a vital and significant part of the educational team; that since these staff members have frequent and continuing interaction with students, a positive attitude and appropriate personal conduct are essential to the effective operation of our school system.

- XIII. School Philosophy and Special Needs Students WE AGREE that the school system, to the fullest possible extent, will be responsive to those students having learning disabilities, whether physical or emotional, and to those students having special abilities, whether academic or vocational.
- XIV. School Philosophy and Facilities WE AGREE that the physical settings, structures and space, have a major impact on the educational process; that regular and thorough evaluation be made to ensure the adequacy of structures and space, both from an esthetic and functional standpoint, and to ensure that the facilities of the school system are being utilized in the best possible manner.

Adopted: 10/6/1977

Reviewed: 03/2005

WELLNESS POLICY

The Southern Berkshire Regional School District is committed to providing a school environment that enhances the learning and development of wellness practices. The SBRSD promotes actions, behaviors and learning that create a healthy and safe environment for all students' faculty and staff.

It is our goal to promote the students' physical, emotional and social well being through a coordinated school health program. Coordinated school health improves students' health and their capacity to learn. At its very core, coordinated school health is about keeping students healthy over time, reinforcing positive healthy behaviors throughout the school day, and making it clear that good health and learning go hand and hand.

This approach includes, but is not limited to, providing a healthy environment, school nursing and other related health services, nutritious meals, guidance and mental health services, comprehensive health education, and physical activity. It is the intent of this policy to promote opportunities that will enable students to become independent lifelong learners who will practice healthy behaviors and choices.

It is our expectation that specific actions will take into account the healthy needs and well being of all children without discrimination or isolation of any child. It is the school district's belief that education along with open informative communication are vital to the establishment of an environment that reduces risks and increases protective factors. In order to enhance students' awareness and consideration of self and others' well being, it is the policy of the School Committee that the regulations herein reflect a commitment to the development of the whole child throughout the tenure in the Southern Berkshire Regional School Districts.

Wellness Committee: The SBRSD has established a wellness committee that consists of: physical education teacher, food service representative, student, nurse, administration, parents, and community members. The School Committee designates the following individuals as wellness program coordinators: John Tranfaglia, and Susan Tomich. Only employees of the district who are members of the wellness committee may serve as wellness program coordinators. Wellness coordinators, in consultation with the wellness committee, will be in charge of implementation and evaluation of this policy

Evaluation: The wellness committee will assess all education curricula and materials pertaining to wellness for accuracy, completeness, balance and consistency with the state and district's educational goals and standards. Wellness program coordinators shall be responsible for devising a plan for implementation and evaluation of the district wellness policy and are charged with operational responsibility for ensuring that the schools meet the goals of the district wellness policy. Wellness program coordinators will report to the School Committee annually.

Adopted: 8/17/2006

Legal Ref: US Government S.2507 Child Nutrition and WIC (Women, Infants, and Children) Reauthorization Act of 2004 Sec. 204. Local Wellness Policy File: ADF

EVALUATION OF PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the schools, a continuous program for teacher and administrator evaluation will be established by the school committee. Regular reports will be made to the superintendent concerning the outcomes of these evaluations.

The evaluation process will include:

1. The development and periodic review of techniques and procedures for making evaluations
2. Interpretation of the information gained in the evaluative process in terms of the objectives of the instructional program
3. The application of the information gained to the planning of staff development and inservice training activities, which are designed to improve instruction and increase teacher competence.

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

The formal evaluations will be written and will be discussed by the supervisor and the person being evaluated. The discussions may either precede or follow the writing of the evaluation document. Copies of the written document will be signed by both parties and incorporated into the personnel files of the teacher or administrator. In addition, the individual and his department chairman (if applicable) will receive a signed copy. The signature should indicate that the evaluation has been read and discussed.

The written evaluation should be specific in terms of the person's strengths and weaknesses. Those areas where improvement is needed should be clearly set forth and recommendations for improvement should be made. Subsequent evaluations should address themselves to any improvement or to any continuing difficulty that is observed.

Adoption Date: December 4, 1997

CONTRACT REF.: Teachers' Agreement, IX

LEGAL REF.: M.G.L. 69:1B; 71:38; 71:38Q; 105E; 152B

Teacher Performance Review and Assistance

I. Underlying Concept

In evolving a new culture of expectations for professional staff development and performance review in the Southern Berkshire Regional School District, we envision an environment of open professional interaction and dialogue -- similar to those which exist in such professions as medicine, law, higher education, etc. -- wherein teachers and administrators freely and enthusiastically engage in mutually supportive peer interactions, including but not limited to:

- classroom visits and observations;
- collaborative goal and objective setting, including committing these to writing as a basis for performance priorities for the year;
- narrative write-ups of the processes of peer interaction, visitations and observations;
- reflective dialogues and discussions;
- self and peer evaluation, including forthright critiques;
- validation, confirmation, and reinforcement of exemplary practices;
- administrative support, positive reinforcement and interaction.

II. Objectives

- A. To develop a culture of reflection for the purpose of elevating the work of all Southern Berkshire Regional School District teaching staff to the highest levels of competency, proficiency, and professionalism, which will result in increased student learning.
- B. To address unsatisfactory teaching performance directly, humanely, and decisively for the purpose of improving that performance, or, in cases of continuing incompetency, to dismiss the individual(s) from the Southern Berkshire Regional School District staff.

III. Process

- A. **Non-Professional Status Teachers, At-Risk Teachers, and Up to 1/4 of Professional Status Teachers**
 1. Each staff member in this category will be supervised, observed and evaluated by his/her principal/supervisor, and may also be supervised, observed and evaluated by teacher leaders and/or a peer. Every teacher in Category A will be notified in writing of his/her status and will be assigned a mentor before or during the first week of the school year who will act as a guide in school.

2. Within the first 30 days of the school year, a meeting will be scheduled between each observee and his/her principal/supervisor (and/or other for the purpose of establishing yearly priorities (goals), and for purpose of establishing the classroom lesson objectives for the first observation. The goals may be derived from individual and/or administrative initiative and will be subject to administrative approval.
3. A minimum of three (3) scheduled observations will be conducted, and will include both pre- and post-observations. Prior to the first pre-observation conference each observee will be given will be given a list of the potential observation criteria areas; sample questions and established standards of performance (see appendix A). The area(s) to be focused on for the first observation will also be established at this conference. The first observation by either the principal or the superintendent will be conducted during the first 30 days of the school year, and a third observation will be conducted before April 1 of the school year.
4. For each of the remaining two observations, the area(s) to be focused on will be established during the pre-observation conference.
5. A post-observation will be held following each observation.
6. The final post-observation conference will include a review of that particular observation, and will also include a review of the teacher's progress on his/her yearly priorities (goals), and a summary review of the teacher as a professional employee.
7. Priorities for the following year will also be developed initially at the final conference, to be reviewed and confirmed at the first pre-observation conference of the next school year.
8. The final review will be reduced to writing by the principal/supervisor, signed by observee and observer, and become part of the teacher's official personnel file. (In the case of at-risk and nonprofessional teachers, the final report will be submitted to the superintendent for review before becoming part of the teacher's personnel file.)

B. Professional Status Teachers

1. Approximately 1/4 of staff members in this category will work with and be supervised/evaluated by their principal/supervisor following the procedures described above (in a multi-year cycle, following the outlined discussed in appendix B).
2. Approximately 3/4 of staff members in this category will be expected to form peer teams, select a chairperson (3-4 members in each team), and

each member of each team will establish yearly goals, which should be the result of professional discussion during their first meeting of the year. The goals may be derived from individual and/or administrative initiatives and will be subject to administrative approval. **All** members of the team will participate in/facilitate this process.

3. At the first meeting of the year the mechanics and schedule of the series of peer observations/exchanges will be developed. This will include the establishment of lesson objectives, and a plan for follow-up discussions.
4. The observee and/or the observers make a written record of the follow-up discussion, and submits it to the other team member(s) for comment. This write-up -- along with the written comments -- is submitted to the principal for his/her information and comment.
5. This document, including all comments, is then returned to the observee and observers, and a copy is kept in a peer team file.
6. At the final observation and follow-up discussion conference the peer team has the responsibility to:
 - a. Determine the status of the yearly goals of the observee, and of each member of the peer team.
 - b. Produce a written summary statement of the observations. The drafting of this statement shall be the responsibility of the observee. This statement shall be reviewed by the observer(s), who will have the opportunity to suggest expansion/refinement/specificity and will sign the final statement.
 - c. Produce a written summary statement which includes a section which focuses on the teacher as a professional employee. The drafting of this statement shall be the responsibility of the observer.
7. The final written summary shall include a comment section as described and signatures. It shall then become part of the teacher's permanent record.
8. Professional status teachers may also be supervised, observed and evaluated by the principal or supervisor in the same manner as a non-professional status teacher when warranted in the judgment of the principal or supervisor. This would include the principal or supervisor being personally involved in the pre-observation, observation, and post-observation process.

IV. **Preparation**

The opportunity of cost free staff development training and preparation for all staff in the processes of professional interaction and dialogue will be provided by the district on an on-going basis. Initially, it is recognized that approximately 10-14 hours of training and preparation will be appropriate for effective implementation. In subsequent years, follow-up workshops will be provided to build peer skills as observers.

Attachments: Southern Berkshire Regional School District Principles of Effective Teaching
Pertinent Questions for Dialogue
Examples of Performance Descriptors
4-Year Professional Growth Cycle

SOUTHERN BERKSHIRE REGIONAL SCHOOL DISTRICT

Principles of Effective Teaching

I. CURRENCY IN THE CURRICULUM

- The teacher is up to date regarding curriculum content.

II. EFFECTIVE PLANNING AND ASSESSMENT OF CURRICULUM AND INSTRUCTION

- The teacher plans instruction effectively.
- The teacher plans assessment of student learning effectively.
- The teacher monitors students' understanding of the curriculum effectively and adjusts instruction, materials, or assessments when appropriate.

III. EFFECTIVE MANAGEMENT OF CLASSROOM ENVIRONMENT

- The teacher creates an effective environment that is positive for student learning and involvement.
- The teacher maintains appropriate standards of behavior, mutual respect and safety.

IV. EFFECTIVE INSTRUCTION

- The teacher makes learning goals clear to students
- The teacher uses appropriate instructional techniques.
- The teacher uses appropriate questioning techniques.
- The teacher evaluates, tries innovative approaches, and refines instructional strategies, including the effective use of technologies, to increase student learning and confidence to learn.
- The teacher understands learning and can modify instruction to needs of learner

V. PROMOTION OF HIGH STANDARDS AND EXPECTATIONS FOR STUDENT ACHIEVEMENT

- The teacher communicates learning goals and high standards and expectations to students.
- The teacher promotes confidence and perseverance in the student that stimulate increased personal student responsibility for achieving the goals of the curriculum, promotes positive attitudes and perceptions of learning.
- The teacher promotes a sense of self-worth and acceptance among each of his/her students.

VI. PROMOTION OF EQUITY AND APPRECIATION OF DIVERSITY

- The teacher strives to ensure equitable opportunities for student learning.
- The teacher demonstrates appreciation for the sensitivity to the diversity among individuals.

VII. FULFILLMENT OF PROFESSIONAL & ROUTINE MANAGEMENT RESPONSIBILITIES

- The teacher is constructive and cooperative in interactions with parents and receptive to their contributions.
- The teacher shares responsibility for accomplishing the goals and priorities of his/her grade/team/department, building and school district.
- The teacher completes reports, forms, grades, takes proper care of equipment, and is punctual and consistent in attending school, classes, meetings and conferences.
- The teacher makes simple lesson plans and individual student achievement records readily available to substitutes and subsequent teachers.
- The teacher attempts to solve and address problems through appropriate channels and procedures as outlined in teacher agreement, district policy, and faculty handbook.
- The teacher is aware of district philosophy and goals and uses them as a basis for thought and practice.

SOUTHERN BERKSHIRE REGIONAL SCHOOL DISTRICT

Teacher Performance Review and Assistance
Pertinent Questions for Dialogue

1. In what ways do you keep current in your subject matter? What do you love about your topic? If you do not know the topic well, how do you model expert learning behavior with your children?
2. How do you choose topics and materials that engage the children's interest and that lead them to learn about important (central and relevant) ideas and information and habits of inquiry?
3. How do you create an atmosphere in which children are active, rather than passive, learners?
4. In what ways do you help children become self-motivated in your classroom?
5. How do you find out how each child is doing? What kinds of data do you use?
6. Give an example of how you respond flexibly and creatively to what and how each child is learning. How do you respond when a child is having problems with the activities or material you have presented?
7. How do you create an atmosphere in which everyone is respectful of one another?
8. What do you do to create an atmosphere that embraces individual differences among students?
9. How do you communicate your expectations and goals?
10. What do you do to encourage children to set and work toward their own intellectual, personal, and aesthetic goals?
11. How do you encourage children to go beyond the average?
12. What do you do to make each child feel good about who he or she is?
13. In what ways are you supportive and critical with your peers?
14. Describe some of the ways you collaborate with other teachers?
15. How do you encourage parent input and respond to family concerns?
16. Do you help substitute teachers by leaving clear instructions and lesson plans?

17. Describe some of the ways you make use of the human resources of the school (call on appropriate teams, channels of authority, etc.).
18. In what ways are you an active learner? How does it manifest itself within the school?
19. Give two or three examples of how children show significant change in what and how they know within your classroom.
20. What do you do when you are having problems (with the group, an individual child, a family, a curricular issue, etc.)?
21. Explain what you have done to forward the goals of your area/building or District goals.

SOUTHERN BERKSHIRE REGIONAL SCHOOL DISTRICT

Examples of Performance Descriptors

*Re: Performance Review and Assistance Questions for Dialogue
(Attaining 1 descriptor in each area does not necessarily meet competency standard.)*

1. The teacher:
 - demonstrates a working knowledge of the core curriculum of his/her particular subject matter;
 - reads appropriate journals/literature associated with subject matter;
 - has taken recent college courses or inservice workshops in his/her subject area or related subject area;
 - contributes to the ongoing evaluation of the curriculum, making appropriate changes to his/her area, as needed;
 - makes time during the instructional period to create an educational framework through modeling student/teacher and professional work;
 - exhibits examples of finished products of expected outcomes.

2. The teacher:
 - makes references to the current curriculum frameworks;
 - refers to student areas of interest;
 - discards old or outdated materials;
 - stays current by reading in the subject area;
 - shares successes and failures with colleagues;
 - utilizes topics that have proven successful in the past.

3. The teacher:
 - provides a classroom that allows students to become decision makers in their learning;
 - uses questions that are open-ended and encourage investigation;
 - recognizes that students have a variety of learning styles and uses appropriate strategies to address those styles;
 - provides group and cooperative strategies.

4. The teacher:
 - provides independent activities that suit the needs of the individual;
 - provides choices within the assigned topic;
 - provides constant and encouraging feedback through conferencing, evaluation of work in progress, etc.

5. The teacher:
 - meets with individual students to discuss progress and process;
 - collects work of the student and reads/evaluates/returns to the student on a timely basis;
 - uses status sheet format to assess the student's involvement and understanding;
 - gives tests, projects and quizzes.

6. The teacher:
 - provides a variety of learning opportunities within the context of the topic being taught;
 - treats each student as an individual by the use of dialogue journals, weekly progress reports to the student, and informal feedback/conversation;
7. The teacher demonstrates recognition of the diversity within the classroom.
8. The teacher:
 - creates curriculum that is flexible to the wide variety of student needs;
 - highlights **ALL** student's strengths;
 - uses curriculum to model diversity and acceptance.
- 9, 10. The teacher:
 - begins each day or class with a "road map" of where he/she has been and where he/she is going;
 - gives clear directions, expectations, and goals for projects and assignments;
 - distributes clearly defined course and class objectives at the beginning of each year/semester;
 - informally discusses course and class goals throughout the year/semester;
 - helps each student set personal goals based on individual strengths and weaknesses.
11. The teacher:
 - provides materials that encourage children to reach beyond their present status;
 - varies assignments and activities to allow for a wide range of expression.
12. The teacher:
 - recognizes each student's strengths and efforts and rewards appropriately;
 - offers specific encouraging feedback to each student.
13. The teacher:
 - visits colleagues' classrooms during instructional time;
 - makes note of colleague's impact on a student;
 - provides critical feedback after a class visit/observation.
14. The teacher:
 - attends and makes good use of common planning time;
 - joins the various school improvement committees;
 - collaborates on curricular projects in/out of his/her area.
15. The teacher:
 - provides progress reports to parents;
 - makes phone calls to parents, reporting concerns and improvements;
 - encourages parental participation at all levels.
16. The teacher:

- provides a substitute folder, as required by the staff handbook;
- makes sure materials are clearly visible for the substitute teacher.

17. The teacher:

- provides pupil personnel with information on student needs and progress;
- uses child study team;
- is aware of the medical needs of the students, via the school nurse.

18. The teacher shares new knowledge with colleagues.

19. The teacher:

- provides relevant anecdotes of student achievements with examples;
- provides portfolios, student projects, which illustrate student growth.

20. The teacher communicates with administration, pupil personnel, teacher(s), student(s), and parent(s) to solve a problem.

21. The teacher demonstrates involvement in activities, committees, etc., which are in pursuit of area/building and/or District goals.