

**Excerpts from the**  
**NATICK PUBLIC SCHOOLS**  
**STAFF MANUAL**

**LAWS, POLICIES AND PROCEDURES APPLYING TO**  
**ALL PERSONNEL**

**2009-2010**

*The Natick Public Schools does not discriminate on the basis of race, color, sex, religion, national origin, sexual orientation or disability.*

# NATICK PUBLIC SCHOOLS

## LAWS, POLICIES AND PROCEDURES APPLYING TO ALL PERSONNEL

### NONDISCRIMINATION

#### Purpose:

To set forth the policy of the school system, consistent with state and federal law, of nondiscrimination on the basis of race, national origin, color, religious creed, sex, age, disability, sexual orientation and ancestry.

#### Policy:

**1. Basic Nondiscrimination Policy:** Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to race, national origin, color, religious creed, sex, age, disability, sexual orientation and ancestry, to all of its students and employees. This commitment will extend to students, staff, the general public and individuals with whom it does business, and to all of the educational programs and activities of the public schools, and is affirmed in the following statements of school committee intent to:

- a. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
- b. 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.
- c. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
- d. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
- e. 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.
- f. 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.

**2. Nondiscrimination on the Basis of Gender/Title IX:** The Committee designates the Director of Human Resources to act as the school system's Title IX compliance officer. The compliance officers are the Director of Human Resources and the Assistant Superintendent of Curriculum, Instruction and Assessment. They are both located on the third floor of Town Hall at 13 East Central Street, Natick.

**3. Nondiscrimination on the Basis of Disability:** 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.

The Committee designates the Director of Pupil Services to coordinate the school system's efforts to comply with and carry out its responsibilities under Title II of ADA. The Director of Pupil Services is located at 13 East Central Street, Natick. The Director of Human Resources is the designated coordinator for Title I of ADA for employee-related issues.

## **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.

### **Definition**

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

### **Reasonable Modification**

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

### **Communications**

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

**Auxiliary Aids and Services** "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, 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, Brailled 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 projections 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 the above requirements of the law and policy statements of this committee to ensure nondiscrimination on the basis of handicap.

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 and other human differences.

**FEDERAL AND STATE LEGISLATION ADDRESSING DISCRIMINATION IN EDUCATIONAL INSTITUTIONS**

<p><b>Title I: <i>Title I of the Americans with Disabilities Act (ADA) of 1990</i></b> Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of employment.</p> <p><b>Co-Coordinator:</b> Marianne Davis (staff) 508-647-6502 Lauren Gilbert (students ) 508-647-6510</p>
<p><b>Title II: <i>Title II of the Americans with Disabilities Act (ADA) of 1990</i></b> Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of educational programming and activities.</p> <p><b>Coordinator:</b> Lauren Gilbert 508-647-6510</p>
<p><b>Title VI: <i>Title VI of the Civil Rights Act of 1964</i></b> Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color and national origin.</p> <p><b>Co-Coordinator:</b> Karen LeDuc 508-647-6492 Marianne Davis 508-647-6502</p>
<p><b>Title IX: <i>Title IX of the Education Amendments of 1972</i></b> Prohibits discrimination, exclusion from participation, and denial of benefits in educational programs based on sex.</p> <p><b>Co-Coordinator:</b> Karen LeDuc 508-647-6492 Marianne Davis 508-647-6502</p>
<p><b>Section 504: <i>Section 504 of the Rehabilitation Act of 1973</i></b> Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.</p> <p><b>Coordinator:</b> Lauren Gilbert 508-647-6510</p>
<p><b>MGL, Ch.76, Section 5: <i>Massachusetts General Laws, Chapter 76, Section 5</i></b> Prohibits discrimination in all public schools on the basis of race, color, sex, national origin, religion and sexual orientation.</p> <p>This state law encompasses all aspects of the federal laws listed above and <i>adds sexual orientation</i>.</p> <p><b>Coordinator:</b> Marianne Davis 508-647-6502</p>

### **ASBESTOS MANAGEMENT PLAN**

The Natick Public Schools is required to annually notify in writing parent, teacher and employee organizations of the availability of asbestos management plans for its buildings.

A copy of the plan is available in each schools main office and in the Business Office at Town Hall. The plans will be available, during normal business hours, without cost of restriction, for inspection.

### **CRIMINAL OFFENDER RECORD INFORMATION**

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

The Superintendent, Director of Human Resources and Human Resources Assistant, shall periodically, but not less than every three years, obtain all available Criminal Offender Record Information from the Criminal History Systems Board on all employees, individuals who regularly provide school related transportation to children, including taxicab company employees, and volunteers who may have direct and unmonitored contact with children, during their term of employment or volunteer service.

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

Pursuant to a Department of Education CORI Law Advisory dated February 17, 2003, "Direct and unmonitored contact with children' means contact with a child when no other CORI cleared employee of the school or district is present. A person having only the potential for incidental unsupervised contact with children in commonly used areas of the school grounds, such as hallways, shall not be considered to have the potential for direct and unmonitored contact with children. These excluded areas do not include bathrooms and other isolated areas (not commonly utilized and separated by sight or sound from other staff) that are accessible to students."

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to children of the school district shall sign a request form authorizing receipt by the district of all available CORI data from the Criminal History Systems Board. The signing of the request form is mandatory for all current and prospective employees, volunteers, and persons regularly providing school-related transportation to children of the Natick Public Schools. Any concerns regarding signing the request form shall be brought to the attention of the Superintendent. Failure to sign the CORI request form will result in disciplinary action consistent with the appropriate collective bargaining agreement and/or personnel policies. The Superintendent, and/or his/her designee(s) certified to obtain information under this policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school children.

CORI is not subject to the public records law and must be kept in a secure location, separate from personnel files in the Superintendent's office, and may be retained for not more than three years. CORI may be shared with the individual to whom it pertains, upon his or her written request, and in the event of an inaccurate report the individual should contact the Criminal History Systems Board. Upon termination of employment, an employee may request in writing, that he or she be given a copy of his/her report.

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

The hiring authority, subject to applicable law, reserves the exclusive right concerning any employment decision made pursuant to Chapter 385 of the Acts of 2002. The employer may consider the following factors when reviewing CORI: the type and nature of the offense; the date of the offense and whether the individual has been subsequently arrested, as well as any other factors the employer deems relevant. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.

If a criminal record is received from the Criminal History Systems Board (CHSB), the Superintendent will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.

If the district is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the district's CORI policy, advised of the part(s) of the

record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the CORI record.

After review of a CORI report, the Superintendent, if he deems it necessary, may meet with the employee who may at such meeting be represented by, in the case of employees who are represented by unions, by a union representative and all other employees by a representative of his or her choosing. Any and all personnel actions resulting from information acquired from a CORI report shall be conducted pursuant to the provisions of the collective bargaining agreement, where appropriate and where applicable, and to the General Laws of the Commonwealth.

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

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

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

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

*Approved by the Natick School Committee: May 5, 2003, Revised: September 11, 2006*

### **LICENSE HOLDER HAS BEEN CONVICTED OF A CRIME**

We call to your attention the following provision of the Massachusetts Department of Education's regulations pertaining to the licensure of professional personnel.

Any license holder who has been convicted of a crime in a court of law shall notify the Department of such conviction in writing. Any license holder whose educator license has been surrendered, suspended, or revoked in any jurisdiction shall notify the Department of such action in writing. Failure to do so shall be grounds for revocation of the holder's license. (emphasis not in original) See 603 CMR 7.14 (11) on the web at <http://www.doe.mass.edu/lawsregs/603cmr7/7.14.html>

### **PROCEDURE: THE REPORTING OF CHILD ABUSE AND NEGLECT**

It is the procedure of the Natick School Committee to comply with Massachusetts General Laws, Chapter 119 (Protection and Care of Children, and Proceedings Against Them) with the mandatory reporting Section (Section 51A) of that law.

The Massachusetts Child Abuse and Neglect Reporting Statute, Chapter 119, Section 51A, states that any school employee "Who, in his/her professional capacity shall have reasonable cause to believe that a child under the age of eighteen years is suffering serious physical or emotional injury resulting from abuse, including sexual abuse, or from neglect, including malnutrition...shall notify the person in charge of such institution, school or facility, ...whereupon such person in charge shall then become responsible to make the report in the manner required by this section. Any such person so required to make such oral and written reports who fails to do so shall be punished by a fine of not more than one thousand dollars.

Massachusetts law requires an individual who is a mandated reporter to immediately report any allegation of serious physical or emotional injury resulting from abuse or neglect to the Department of Social Services by oral communication. A written report must then be completed *within 48 hours* of making the oral report and should be sent to the appropriate Department office.

It is not the responsibility of the school official or employee to prove that the child has been abused or neglected. The aim of the mandated reporting law in Massachusetts is to identify, report investigate and intervene in families where there is suspected neglect or abuse. It is import to recognize the need to help both the child and the family.

Under Chapter 1076, Acts of 1973 school personnel who in good faith make a report of suspected child abuse or neglect in accordance with the statute shall be immune from any civil or criminal liability that might otherwise be imposed.

Any staff member who has cause to believe that a child is suffering abuse or neglect must report such condition to the building principal who will notify the Director of Pupil Service and the building based Child Protection Team to ensure compliance with MGL, Ch. 119, Section 51A.

### **DRUG FREE WORKPLACE**

Pursuant to the regulations implementing the Drug-Free Workplace Act of 1988 (PL 100-690), the Natick School Committee hereby notifies its employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on all properties and at all functions under its jurisdiction. Violation of the provisions of this notice will be proper course for disciplinary action up to and including termination of employment and possible criminal prosecution.

The Natick School Committee strongly desires to maintain a drug-free workplace. The Committee has devoted time and effort to provide information to its employees about the dangers of drug abuse. The Town of Natick has in place a voluntary and confidential employee assistance program to provide help to persons in need of counseling and or rehabilitation.

The Natick School Committee is required to request that:

- Employees abide by the terms of the statement in paragraph one above; and
- an employee notifies the Committee of any criminal drug statute conviction within five days after such conviction.

*Approved by the Natick School Committee March 6, 1989*

### **DRUG-FREE SCHOOLS AND COMMUNITIES ACT OF 1989**

The Natick School Committee strongly desires to keep its schools and other premises free from any activities that involve the use and abuse of illicit drugs and alcohol. Based on its concern for the physical and mental health of all employees, the Natick School Committee hereby notifies all employees that:

**The Natick School Committee prohibits, at a minimum, the unlawful manufacture, possession, use, or distribution of illicit drugs and alcohol by employees on school premises\* or as a part of any of its activities. Violation of the provisions of this notice will be proper cause for disciplinary action up to and including termination of employment, the notification of appropriate local, state and federal law enforcement authorities, and possible criminal prosecution.**

The School Committee is providing you with this information pursuant to the applicable provisions of federal & state laws. If you wish additional information regarding the law, please contact the Superintendent of Schools.

\*School premises are defined as all buildings, parking lots, playgrounds, athletic fields, roads and walkways under the jurisdiction of the Natick School Committee.

*Approved by the Natick School Committee August 20, 1990*

### **DRUG-FREE SCHOOL ZONES**

As per the provisions of Chapter 94C of the Massachusetts General Laws, and as amended by chapter 227, any person or persons manufacturing or distributing drugs while in or on, or within 1,000 feet of, any public, private or vocational school, whether or not such schools are in session, are subject to a minimum mandatory prison term of two years.

### **YOUR RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

**Reasons For Taking Leave:** Unpaid leave must be granted for any of the following reasons:

- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job; or
- for military family leave entitlements

At the employee's or employer's option, certain kinds of paid leave may be substituted for unpaid leave.

**Advance Notice And Medical Certification:** The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.

- The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable."
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and a fitness for duty report to return to work.

### **Job Benefits And Protection:**

- For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### **Unlawful Acts By Employers:** FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

### **Enforcement:**

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**For Additional Information:** Contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor.

*U.S. Department of Labor, Employment Standards Administration*

### **FIREARMS PROHIBITION**

As per the provisions of MGL Chapter 269, Section 10 it is illegal to carry a firearm or any dangerous weapon, loaded or unloaded, into the building or on the grounds of any public school. Please see the language of law as follows:

**"Who ever not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded, or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board of officer in charge of such elementary or secondary school, college or university shall be punished by a fine or not more than one thousand dollars (\$1,000) or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean a pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means."**

**“Any officer in charge of an elementary or secondary school, college or university or any faculty member or administrative officer of an elementary or secondary school, college or university failing to report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine or not more than five hundred dollars.”**

**See also Massachusetts General Law #71 Section 37H for duties of principals in case of students apprehended with firearms on school property.**

### **MANDATORY STAFF REPORTING OF POSSESSION OR USE OF FIREARMS BY A STUDENT**

**SECTION 37.** Section 37L of said Chapter 71 of the General Laws, as appearing in the 1990 Official Edition is hereby amended by adding the following paragraphs:

In addition, any school department personnel shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time.

Supervisors who receive such a weapon report shall file it with the superintendent of said school, who shall file copies of said weapon report with the local chief of police, the department of social services, the office of student services or its equivalent in any school district, and the local school committee. Said superintendent, police chief, and representative from the department of social services, together with a representative from the office of student services or its equivalent, shall arrange an assessment of the student involved in said weapon report. Said student shall be referred to a counseling program; provided, however, that said counseling shall be in accordance with acceptable standards as set forth by the board of education. Upon completion of a counseling session, a follow-up assessment shall be made of said student by those involved in the initial assessment.

A student transferring into a local system must provide the new school system with a complete school record of entering student. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.

### **JUVENILE FIRE SETTER INTERVENTION PROGRAM**

Staff will immediately contact the Principal in the event of information pertaining to a student's involvement in a school fire. The Principal will immediately contact the Middlesex District Attorney's Office and the Natick Fire Department/Natick Police Department to report any and all fires that occur on school property even if the fire has been extinguished. The scene will be preserved until released by the Fire Department. Staff will not make promises or representations to any youth or family regarding non-prosecution of any matter. Staff will advocate with parents for participation in the Middlesex Juvenile Fire Setters Intervention Program.

## AN ACT RELATIVE TO THE REPORTING OF FIRES IN SCHOOLS.

### **SECTION 2A.** Chapter 148 of the General Laws:

The principal of any public or private school that provides instruction to pupils in any of grades 1 to 12, inclusive, shall immediately report any incident involving the unauthorized ignition of any fire within the school building or on school grounds to the local fire department. The principal shall submit a written report of the incident to the head of the fire department within 24 hours on a form furnished by the department of fire services. The report shall be filed without regard to the extent of the fire or whether there was a response by the fire department. The head of the fire department shall report such incident to the marshal in accordance with section 2.

*Approved May 12, 2006*

### **HAZING**

Hazing of any form is prohibited by law. Please see the language below. Each principal or director is required to receive a signed receipt for this handbook containing the provisions of the following statutes. Such receipts will be kept on file in the office of the principal or director.

#### **Chapter 269, Section 17 - *Crime of Hazing; Definition; Penalty***

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term hazing as used in this section and in sections eighteen and nineteen shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action. *Added by St.1985, c.536; amended by St.1987, c.665.*

#### **Chapter 269, Section 18 - *Duty to Report Hazing***

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime, shall, to the extent that such person can do

so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars. *Added by St.1985, c.536; amended by St.1 987, c.665.*

**Chapter 269, Section 19 - Statutes to be Provided to Student Groups; Compliance Statement and Discipline Policy Required**

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and section seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition's or endorsement of said unaffiliated student groups, teams, or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team, or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgment stating that such group, team, or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

**HEALTH SERVICES**

The goal of the Health Services is to aid our students to develop to their highest potential by advocating an optimum state of health for all through professional support and practice in health services, health counseling and health education.

**Medication Policy**

No medication will be administered to students except as prescribed within written guidelines developed by school medical personnel. Under M.G.L. Chapter 94C, there are two options for the administration of prescription medications in the Natick Public Schools:

1. Administration by certain licensed professionals such as nurses, physicians, etc.
2. The delegation model (DPH Regulations 105 CMR 210.00), which permits certain unlicensed personnel to administer prescription medications. Please refer to the Medication Administration Policy of the Natick School Committee.

Nurses may administer acetaminophen to students in the Natick Public Schools based on a protocol which has been developed in collaboration with Natick's School Physician provided that the School Committee allows the use of such protocol to be dispensed with parent permission. Other over-the-counter medications will require a physician's order.

### **INTERNET ACCEPTABLE USE POLICY FOR FACULTY/STAFF**

The Internet is a vast network which links together computers world-wide. The Internet can provide educators with boundless opportunities. The Natick Public Schools expects users of the Internet to be responsible for their own actions. It is the purpose of this policy to ensure that all who use the Internet do so in an appropriate manner.

The Natick Public Schools supports and respects each individual's right to decide whether or not to utilize the Internet connections available in the school buildings. Individual users are responsible for appropriate use of the Internet.

The Natick Public Schools will provide, where available, access to the Internet for faculty/staff. Access will be granted upon receipt of a signed Acceptable Use Agreement. All faculty/staff will be given proper instruction on the use of the Internet as part of our educational program incorporating technology into our curriculum.

### **Faculty/Staff Internet Acceptable Use Guidelines**

#### **Etiquette**

- Natick's primary use of the Internet is educational. Any individual who is connected to the Internet for non-educational use shall immediately log off if their use is interfering with the educational access by other users.
- Proper etiquette is expected of all users of Natick Public Schools Internet access. Users are expected to be courteous and use appropriate language. Users will not write or send abusive messages.
- If an individual notices any suspicious or unusual activity while using Internet access, it should be reported immediately to the supervising or appropriate staff member.
- Personal information should not be transmitted through the Internet. It is strongly advised not to reveal any personal addresses, phone numbers, credit card numbers, bank account numbers or other private information of any individual. In addition, any passwords associated with use of the network must not be shared with another individual.

- Transmission of obscene materials is prohibited. Should a user happen to find materials which may be inappropriate while using Natick Public Schools Internet access, he/she shall refrain from downloading this material and shall not identify or share the location of this material. Be aware that the transfer of certain kinds of materials may be illegal and punishable by law.
- While using the Internet, no user shall utilize this resource to perform any act which can be construed as illegal or unethical.
- Electronic mail is not guaranteed to be private. Use of inappropriate language can result in suspension of Internet privileges.

### **Hardware/Software**

- Any installation of hardware or software to the network must be approved by the Department of Instructional Technology. Vandalism or any malicious attempt to harm or destroy any hardware or data of another user will not be tolerated. Any questionable activity will result in suspension of use and the offending action will be reviewed by the administration for further disciplinary action.
- When using the Internet to access Natick's or other organizations' networks or other computing resources, each user must comply with all rules for that network. Modifications to software on any computer system being used on the network will not be tolerated.
- The Natick Public Schools makes no guarantees regarding the reliability of the data content and data connection. In addition, neither the Natick Schools nor the Internet Service Provider shall be liable for any loss or damage of data while the connection is in use.
- The Natick Public School system reserves the right to examine any data stored on any computer which is used for Internet access.

### **Copyright**

- The Natick Public School system disapproves of illegal copying and distribution of software. Any individual who is found transferring such material shall have their use of the Internet suspended immediately.
- All users shall be aware that illegal distribution of software and the violation of copyright laws are federal offenses and are punishable by fine or imprisonment.

### **Commercial Activity**

- Use of the Internet in the Natick Public Schools for commercial activities of any kind by anyone including but not limited to sales or promotions of products or services, for unauthorized solicitations on behalf of charities or other organizations or persons, for political lobbying or for illegal activities is strictly prohibited.

- The Natick Public Schools administration reserves the right to change and/or update these guidelines when necessary. The administration reserves the right to suspend specific user access at any time.

*Adopted: October 6, 1997*

### **SCHOOL SECURITY**

The Natick School Committee at its meeting of April 26, 1993 voted to require that all schools utilize a sign-in/sign-out system for all visitors and the use of a "**Visitor's Badge**" to signal the presence of such persons in the building. It is within the scope of responsibility of all staff to notify the building principal or other administrator of the presence of any "undocumented" persons.

### **SEXUAL HARASSMENT POLICY**

#### **Section I**

The Natick Public Schools, in accordance with the provisions of state and federal law (42 U.S.C.A., Section 2000(e) - Title VII of the Civil Rights Act and MGL, Ch. 151B, Section 4, paragraph 16A), recognizes sexual harassment as unlawful and also recognizes that retaliation for either filing a complaint or cooperating in an investigation is unlawful.

#### **Section II**

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

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

Sexual harassment is illegal and, in some cases, may be subject to prosecution under criminal sexual conduct statutes.

#### **Section III**

Sexual harassment may include, but is not limited to:

- a. Assault, inappropriate touching, intentionally impeding movement, continuing comments, gestures or written communications of a suggestive or derogatory nature involving or because of sex;

- b. Questioning or complementing someone about his/her body or sexual behavior, sexually oriented jokes or continuing to express sexual interest after being informed that the interest is unwelcome;
- c. Any sexual or gender-based gestures, noises, remarks, suggestions, jokes, leering, gesturing, voyeurism;
- d. Displaying sexually suggestive pictures or objects anywhere in the workplace.

Sexual harassment may include conduct by men towards women, men towards men, women towards men, women towards women, employees towards supervisors, supervisors towards employees, employees towards employees, employees towards citizens or vendors, and citizens or vendors towards employees. It may also include consensual sexual conduct by co-workers that is offensive or disadvantageous to a third party employee.

In addition, an employee's mistreatment of another employee away from work may be, or may become, prohibited conduct if it is in any way associated with workplace conduct. Such mistreatment could include any conduct towards an employee outside of the workplace that would be prohibited in the workplace. Conduct including but not limited to following that employee home without her or his consent, making repeated unwelcome sexual overtures by telephone or sending unwelcome sexual materials through the mail, may be prohibited conduct.

The above examples are not all inclusive. Sexual harassment is determined by the victim. The individual's feelings and reactions to inappropriate behavior determine whether sexual harassment has taken place. Conduct not described in these examples might constitute sexual harassment. A common sense question to ask yourself about any conduct is, "Would I want my spouse, child, sister, brother or parent to have to experience, see or listen to something like this?". If the answer is "No" then the conduct should be stopped.

#### **Section IV**

No form of sexual harassment will be tolerated by the Natick Public Schools. Anyone found to have committed any form of sexual harassment will be disciplined, up to and including termination. Employees found to have knowingly made false accusations of sexual harassment will be disciplined up to and including discharge.

All supervisors are expected to be alert to any possible sexual harassment and to take appropriate steps to eliminate and report the same. Supervisors found to have tolerated or condoned sexual harassment, or found to have failed to take appropriate actions to prevent sexual harassment will be disciplined.

Retaliation against any individual for reporting sexual harassment or cooperating in an investigation will not be tolerated and will be treated with the same strict discipline as the harassment itself.

### **Section V**

In the case of employees covered by the EAN Unit A, Unit B (Administrators), Unit C (Nurses), Student Support or Secretaries and Clerks contracts, employees who wish to file an internal complaint should refer to the sexual harassment grievance procedure article of their contract. Non-represented employees and members of bargaining units without a sexual harassment grievance procedure in their contract may follow the procedure below:

**Purpose:** As established by federal and state regulations, the purpose of this grievance procedure is to facilitate compliance with the law, provide prompt and equitable resolution of complaints and promote a means for mutual problem solving and understanding. Any individual(s) who feel(s) that his/her/their rights, under Title IX, or other pertinent laws or regulations concerning sex discrimination have been violated by any individual, group of individuals, practice or policy may file a complaint.

#### **Procedure:**

A. The complainant or his/her representative must address the respondent in the situation. If no resolution is achieved within ten (10) student days of the time the respondent was addressed, the complainant may proceed to the principal, supervisor or administrator within ten (10) additional student days. If the principal, supervisor or administrator is a respondent, the complainant may proceed to any administrator that he/she is comfortable with.

Once the principal, supervisor or administrator receives the complaint, he/she shall notify the Director of Human Resources of same and conduct an appropriate investigation of the complaint. At his/her discretion, the administrator may request that the Director of Human Resources conduct or assist in conducting the investigation.

Such investigation may consist of, but may not be limited to, the following actions:

1. Interview(s) with the grievant;
2. Interview(s) with the individual alleged to be the harasser;
3. Interviews with other employees or witnesses;
4. Interviews with other individuals at the discretion of the investigator;
5. Review of pertinent records.

B. If no resolution is achieved within ten (10) student days of the meeting with the principal, supervisor or administrator of choice, the complainant may proceed to the Superintendent within ten (10) additional student days.

### **Additional Provisions**

1. At any time, a complainant or respondent may choose a person to advise, assist, mediate or represent him/her during the procedure from a list supplied by the Chapter 622/Title IX Committee. Records will be kept from the moment any Sexual Harassment Grievance Procedure Representative is involved.
2. All proceedings relative to sexual harassment complaints will be held in closed session and all discussions held in strict confidence.
3. Parties may mutually agree to extend or condense time limits; such agreement must be reduced to writing.
4. If, at any time after an apparent resolution of a complaint, sexual harassment reoccurs, the complainant may reactivate the complaint at the level at which the complaint was apparently resolved.
5. Anyone named in the file will have the right to inspect the file under conditions of controlled access. There will be no other access, unless or until there is a subsequent complaint involving any of the named individuals. Access at any such subsequent time shall be limited to persons involved in the investigation, or litigation of that subsequent complaint.

### **Section VI**

You may file an internal complaint with any of the following individuals on the attached list, or ask them to advise, assist, mediate or represent you in the process. The Director of Human Resources must be notified immediately by the principal, supervisor or administrator of all complaints filed (508) 647-6495.

You may also file a complaint with one of the agencies listed in Section VII.

### **Section VII**

Individuals wishing to contact a state or federal employment discrimination enforcement agency may write or call one of the following:

Equal Employment Opportunity Commission  
One Congress Street  
Boston, MA 02114  
(617) 565-3200

Massachusetts Commission Against Discrimination  
One Ashburton Place  
Room 601  
Boston, MA 02108 (617) 727-3990

*Voted by the Natick School Committee on November 4, 1996*

## **YOUR RIGHTS UNDER THE SMALL NECESSITIES LEAVE ACT M.G.L. C:149, §52D**

The Small Necessities Leave Act mandates that certain employers provide up to 24 hours of unpaid leave during any twelve month period to “eligible employees.” This leave is in addition to the 12 weeks already allowed under the Federal Family and Medical Leave Act.

Employees are eligible for the 24 hour leave under the statute if their employer has 50 or more employees working within 75 miles of the worksite of the employee requesting the leave. In addition, the employee must (i) have been employed for at least 12 months by the employer from whom the leave is requested, and (ii) provided at least 1,250 hours of service for the employer during the immediately previous 12 month period.

### **Reasons For Taking Leave:**

The 24 hour unpaid leave may be taken for any of the following reasons:

- to participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school; or
- to accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; or
- to accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder’s care, such as interviewing at nursing or group homes.

### **Notice Requirement/Certification:**

To be entitled to the leave, employees must provide notice to the employer as follows:

- if the need for leave is foreseeable, the employee must request the leave not later than 7 days in advance;
- if the need is not foreseeable, the employee must notify the employer as soon as practicable under the particular circumstances of the individual case.

To the extent possible, employees must provide written notice to the employer. If not feasible, employees may request leave orally.

Certificates and/or requests for leave provided by employees must be kept in the employee’s personnel record and must be maintained for three years in accordance with G.L. c. 149, § 52C. Records and documents relating to medical certifications or medical histories of employees’ family members must be maintained as confidential medical records and kept in separate files from the usual personnel files.

### **Unlawful Acts By Employers:**

A violation of the Act occurs when the employer:

- fails to provide the time requested by the eligible employee; or
- fails to restore the employee to the position held by the employee when the leave commenced, or fails to restore the employee to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment; or
- discharges or in any manner discriminates against any individual for opposing any practice made unlawful by the Act; or
- in any other manner discriminates against any individual because the individual:
  - has filed any charge, or has instituted or caused to be instituted any proceeding, under or related to the Act; or
  - has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under the Act; or
  - has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under the Act.

### **Enforcement:**

The Act authorizes the Attorney General to initiate either a criminal action against an employer who violates the Act and/or to seek injunctive relief against such employer. Any employer convicted of a criminal violation of the Act is subject to a \$500 fine.

In addition, any aggrieved employee may institute a civil action for injunctive relief and/or damages against his or her employer. Should the employee prevail, he or she will be entitled to treble damages, costs of the litigation and reasonable attorney's fees.

### **For Additional Information:**

Contact the Attorney General's Fair Labor and Business Practices Division in Boston at (617) 727-3465, or in Springfield at (413) 784-9128.

### **USE OF TOBACCO**

The use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual including school personnel is prohibited pursuant to the provisions of Massachusetts General Law Chapter 71, Section 37H enacted 1993. Violations will result in the following consequences:

- 1<sup>st</sup> offense: \$100.00 fine or enroll in quit session program
- 2<sup>nd</sup> offense: \$100.00 fine and verbal reprimand
- 3<sup>rd</sup> offense: \$100.00 fine and written reprimand to go in personnel file

# Student Staff Incident Procedure

This procedure will be implemented in the event of a reported incident involving a staff member and a student that may result in a 51A or disciplinary action.

Steps	Task	Person Responsible	Initial and Date
1	Principal (or in the absence of the Principal, his/her designee) will notify the Superintendent, Director of Pupil Services, and the Director of Human Resources of the alleged incident.	Principal	
2	<p>The Director of Pupil Services and the Director of Human Resources will conduct an on-sight investigation of the incident to determine appropriate course of action. This investigation may include, but is not limited to, interviews with the parties immediately involved as well as witnesses.</p> <p>The Staff Member involved will have the right to Union Representation or any Legal Counsel at any meetings during the interview process.</p>	<p>Director of Pupil Services and Director of Human Resources</p> <p>Staff Member and Union Rep. Or Legal Counsel</p>	
3	<p>As the designated mandated reporter for the Natick Public Schools, the Director of Pupil Services will determine if an allegation of serious physical or emotional injury exists. If s/he deems it necessary, a 51A report will be filed through the Department of Social Services (DSS).</p> <p>In the event that it is necessary to file a 51A, the Director of Pupil Services will make a telephone report within a twenty-four hour period, to be followed by the required 51A document to the Department of Social Services within forty-eight hours of the alleged incident. A DSS investigator will conduct a formal investigation to be concluded within ten days. The Staff Member will be interviewed during this period, and, upon its conclusion, will receive written findings of the DSS investigation.</p>	<p>Director of Pupil Services</p> <p>DSS Interrogator</p>	
4	The Director of Human Resources will compile a detailed report, which will be forwarded to the Superintendent of Schools and the building Principal.	Director of Human Resources	
5	The Superintendent, in conjunction with the Principal, will make a determination of whether or not disciplinary action is appropriate.	Superintendent and Principal	

**MEMORANDUM OF UNDERSTANDING, BETWEEN NATICK PUBLIC SCHOOLS AND NATICK POLICE DEPARTMENT**

**I. GENERAL PRINCIPLES**

The Natick Public Schools and the Natick Police Department agree to coordinate their efforts to prevent violence involving the students of the Natick Public Schools, to prevent illegal drug and alcohol distribution and abuse involving the students of Natick Public Schools and to promote a safe and nurturing environment in the school community.

We agree to respond effectively and cooperatively for everyone's protection to incidents of school delinquency, truancy, and criminal behavior. The joint effort of cooperative response will focus on incidents that take place on school grounds, within school property, at school sponsored events, and other locations in which students of the Natick Public Schools are involved.

This agreement is entered into pursuant to the Laws of the Commonwealth of Massachusetts and deals with issues of violence, attempted violence or threatened violence, illegal substance use or distribution or other incidents that would require:

- A law enforcement response in a school setting
- A law enforcement response during any school sponsored activity, even if the event is off school grounds; or
- A law enforcement response in the community involving students of the Natick Public Schools.

It will be the sole prerogative of school officials to impose discipline for infractions of school rules and policies.

**II. SCHOOL AND POLICE DEPARTMENT DESIGNATED LIAISONS**

In order to facilitate prompt and clear communications between the school and police personnel, the Natick Public Schools and the Natick Police Department agree to identify individuals on their respective staffs who will function as Designated Liaisons.

- A. THE NATICK PUBLIC SCHOOLS DESIGNATED LIAISONS, BY SCHOOL,  
ARE:
- Rose Bertucci, Vice Principal, Natick High School
  - Megan Hatt, Vice Principal, Kennedy Middle School
  - Niall Carney, Vice Principal, Wilson Middle School
- B. THE NATICK POLICE DEPARTMENT DESIGNATED LIAISONS ARE:
- Rick Halloran
  - John Haswell

### **III. ISSUES OF CONCERN TO THE DESIGNATED LIAISONS**

#### **A. REPORTABLE INCIDENTS:**

- (1) The Designated Liaisons from the School and Police Department will review all incidents classified as Mandatory Reportable Incidents, as defined in Section IV of this agreement.
- (2) Additionally, the Designated Liaisons will review any incident or information that may affect the safety or well being of students, faculty, or administrative personnel.

#### **B. PREVENTION STRATEGIES:**

In addition to the above responsibilities, the Designated Liaisons from the School, the Police Department and the Middlesex District Attorneys Office will meet regularly for the following purposes:

- (1) to discuss the incidents of violence in school, any illegal distribution or possession of drugs or alcohol or any other criminal activity affecting students;
- (2) to identify strategies to reduce such activities and to promote a safe and nurturing school environment;
- (3) to discuss community resources available for students at risk of harm from violence, abuse or neglect; and
- (4) to outline the necessary action plan for implementation of such strategies.

### **IV. REPORTING GUIDELINES**

#### **A. SCHOOL REPORTS TO POLICE DEPARTMENT**

- (1) The following shall be considered Mandatory Reportable Incidents:
  - (a) possession or distribution of alcohol by a student;
  - (b) possession, use, or distribution of an inhalant or any controlled substance, as defined in M.G.L. c. 94C;
  - (c) any incident in which any individual is reasonably believed to be selling or distributing drugs or alcohol;
  - (d) possession of a weapon, as defined in the school handbook;
  - (e) any incident involving domestic abuse, dating violence, or a violation of M.G.L. c. 209A order;

- (f) any incident involving the serious physical or sexual abuse of a child (in addition to a report filed with the Department of Social Services);
  - (g) any incident involving an actual or suspected hate crime or violation of civil rights;
  - (h) any incident resulting in significant damage to municipal or private property;
  - (i) any bomb threat, fire, threatened or attempted fire setting, threatened or attempted use of an explosive device or hoax device;
  - (j) any creation or possession of a "hit list" of individuals targeted for violence or death;
  - (k) any threat, direct or indirect, against a student, school personnel or other school employee;
  - (l) any incident of "hazing," involving a threatened or actual risk of physical or emotional harm to a student;
  - (m) any sexual assault, rape or incident of gender-based harassment.
- (2) Mandatory Reportable Incidents will be immediately reported to the Natick Police Department Liaison if such incident:
- (a) occurred on school property or within 1,000-foot radius of school property;
  - (b) occurred at a school-sponsored function;
  - (c) occurred in a school owned or contracted bus or other vehicle; or
  - (d) involves a student of the Natick Public Schools.
- (3) The following shall be considered Discretionary Reportable Incidents:
- (a) any incident involving assaultive behavior;
  - (b) any incident in which a student is suspected of using alcohol.
- (4) Discretionary Reportable Incidents will be reported to the Natick Police Department Liaison at the discretion of the School Designated Liaison.

**B. POLICE DEPARTMENT REPORTS TO THE SCHOOL**

The appropriate Police Department Designated Liaison will inform the appropriate School Designated Liaison, subject to applicable statutes and regulations governing confidentiality, of:

- (1) any arrest of a student or the filing of a complaint application against any student of Natick Public Schools; and
- (2) any occurrence involving a student of the Natick Public Schools, if the

- (a) activity poses a serious and imminent threat to the safety of the student, other students, faculty, or administrative personnel;
- (b) making of such report would facilitate supportive intervention by school personnel on behalf of the student; or
- (c) activity involves actual or possible truancy.

## V. PROCEDURE GUIDELINES

### A. INTRODUCTION

A concern of educators is to provide a safe and nurturing climate in which learning can take place. It is also a concern of local law enforcement to promote a safe environment in the public school community.

As recent events have shown, any school is at risk for incidents of violence, threatened violence or attempted violence, as well as illegal substance distribution, use or possession, all of which diminish the ability of the school community to focus upon the business of learning. In order to promote a safe and nurturing environment in our schools and in our community, it is in our common interest to share information. It is through the collaborative efforts of the Natick Public Schools and the Natick Police Department that this can occur.

In order to maintain a safe and nurturing environment in its schools, the Natick School Department reserves the right to search all school property for weapons, other contraband or controlled substances in accordance with State and Federal Laws.

### B. REPORTING PROCEDURES FOR EMERGENCY SITUATIONS

Definition: An emergency situation is any incident that poses a threat to human safety or which may result in serious property damage.

A teacher or other employee having knowledge of any emergency situation shall immediately notify or cause to be notified both the Natick Police Department (911) and the School Principal or Assistant Principal.

### C. REPORTING PROCEDURES FOR NON-EMERGENCY SITUATIONS

A teacher or other school employee having reasonable grounds to believe that a student has committed an act categorized as a mandatory reportable act, shall take or cause the student to be taken to the appropriate Designated School Liaison.

### D. NECESSARY FOLLOW-UP

A teacher or other school employee with knowledge of facts pertinent to the reportable act shall:

- (1) prepare and submit a report on the incident to the appropriate Designated School Liaison;
- (2) notify the Designated School Liaison of the existence of any physical evidence; and
- (3) take reasonable steps to maintain any pertinent physical evidence in a secure place.

E. RESPONSIBILITY OF THE DESIGNATED SCHOOL LIAISON

Once a Designated School Liaison has been made aware of a mandatory reportable incident, it is her/his responsibility to:

- (1) notify the Police Department Designated School Liaison and, when appropriate, parents;
- (2) notify the Police Liaison of the existence of pertinent physical evidence and take reasonable steps to maintain it in a secure place; and
- (3) follow up by forwarding any related reports to the Natick Police Department.

VI. IMPLEMENTATION

A. TRAINING

The Natick Public Schools and the Natick Police Departments agree to provide agency-wide training to their respective staffs to inform them of their roles and responsibilities under this agreement. On an on-going basis, the same training will be provided to new staff members.

B. EFFECTIVE DATE AND DURATION OF THIS AGREEMENT

The provisions of this Memorandum of Understanding shall be effective as of May 15, 2000 and will remain in full force and effect until amended or rescinded by the parties.

FOR THE NATICK SCHOOL DEPARTMENT:

*Peter J. Sanchioni, Superintendent*

FOR THE NATICK POLICE DEPARTMENT:

*Dennis Mannix, Chief of Police*

## **ROLE OF THE OFFICE OF THE MIDDLESEX DISTRICT ATTORNEY**

In the spirit of the legislative mandate regarding communication between the district attorney, law enforcement and school officials, as included in c. 151 of the Acts and Resolves of 1996 s. 652, and to assist the Natick Public Schools in providing a safe environment for learning, in accordance with the legislative mandate set forth in G.L. c. 71, sections 37H and 371/2H, inter alia, the Middlesex District Attorney agrees to:

- 1) report to the school any felony, (criminal or delinquency complaint) that is issued against a student of the Natick Public Schools;
- 2) report to the school any adjudication of delinquency or conviction, or other significant occurrence that arises from the above;
- 3) consider information received from the Natick Public Schools and the Natick Police Department when fashioning proposed terms and conditions to be imposed upon a student of the Natick Public Schools at both the pre-adjudication and post-adjudication stages of the prosecution when possible; and
- 4) consider information received from the Natick Public Schools and the Natick Police Department when deciding whether to prosecute a student as a Youthful Offender.

The Middlesex District Attorney agrees to provide training to staff to inform them of their roles and responsibilities under this agreement. On an on-going basis, the same training will be provided to new staff members.

---

Gerard T. Leone Jr.  
Middlesex District Attorney

**NATICK PUBLIC SCHOOLS**

I have received and read the Natick Public Schools' "Excerpts from the Staff Manual" containing Laws, Policies and Procedures applying to all Personnel.

Signature\_\_\_\_\_Date\_\_\_\_\_

Print Name\_\_\_\_\_