

**MEMORANDUM**

**TO:** School Committee  
**FROM:** Mr. Paul Zinni, C.A.G.S.  
**DATE:** December 2, 2020  
**SUBJECT:** Policy Review

The Policy Subcommittee met on Monday, November 30, 2020 and are presenting the following policies to the full School Committee as a 1<sup>st</sup> reading:

Copies of these policies are attached and include versions with and without tracked changes. Any changes made to the current King Philip version are based upon MASC recommendations.

GDB SUPPORT STAFF CONTRACTS AND COMPENSATION
HA NEGOTIATIONS GOALS
HB NEGOTIATIONS LEGAL STATUS
HF SCHOOL COMMITTEE NEGOTIATING AGENTS
IB ACADEMIC FREEDOM
IC/ICA SCHOOL YEAR/SCHOOL CALENDAR
ID SCHOOL DAY
IGA CURRICULUM DEVELOPMENT
IGB SUPPORT SERVICES PROGRAMS
IHAM HEALTH EDUCATION
IHAMB TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS
IHB SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS
IHBAA OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS
IHBEA ENGLISH LEARNER EDUCATION
IHBF HOMEBOUND INSTRUCTION
IHBH ALTERNATIVE SCHOOL PROGRAMS
IHBHE REMOTE LEARNING
IHCA SUMMER SCHOOLS
IJ INSTRUCTIONAL MATERIALS
IJL LIBRARY MATERIALS SELECTION AND ADOPTION
IJLA LIBRARY RESOURCES
IJOB COMMUNITY RESOURCE PERSONS/SPEAKERS
IJOC SCHOOL VOLUNTEERS
IJ-R RECONSIDERATION OF INSTRUCTIONAL RESOURCES
IK Student progress reports to parents/guardians
IL EVALUATION OF INSTRUCTIONAL PROGRAMS
ILD STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH
IMD SCHOOL CEREMONIES AND OBSERVANCES

It is the recommendation of the Policy Subcommittee to rescind the following policies, and are presented as a 1<sup>st</sup> reading:

IHAE PHYSICAL EDUCATION
IJJ TEXTBOOK SELECTION AND ADOPTION
IJK SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

**File: GDB - SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS**

**Reviewed for PSC – School Committee 1<sup>st</sup> Reading**

In establishing rates of pay and levels of compensation for support staff personnel, the Regional School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school department.

Compensation plans will be reviewed annually for all categories of staff. Such review, where applicable, will be carried out in connection with negotiations with representatives of recognized bargaining units. The master agreements with these units will be considered appendices to this manual and will have the full force of Regional School Committee policy.

The Superintendent will set the rates of pay for personnel not covered by collective bargaining agreements.

SOURCE: MASC

LEGAL REF.: M.G.L. [71:38](#)

CONTRACT REFS: All Contracts

**File: HA - NEGOTIATIONS GOALS**

**Reviewed for PSC 10/26/20 - SC 1st Reading 12/7/2020**

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

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

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

SOURCE: MASC September 2016

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**Reviewed for PSC 10/26/20 - SC 1st Reading 12/7/2020**

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

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

**SOURCE: MASC September 2016**

**File: HB - NEGOTIATIONS LEGAL STATUS**

**Reviewed for PSC- SC 1st Reading 12/7/2020**

All negotiations between the Regional School Committee and recognized employee groups are conducted subject to Massachusetts General Laws. The legal status of negotiations is defined in part by Section 2 of that chapter, as follows:

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

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

SOURCE: MASC September 2016

LEGAL REF.: M.G.L. [150E:1](#) et seq.

**File: HB - NEGOTIATIONS LEGAL STATUS**

**Reviewed for PSC- SC 1st Reading 12/7/2020**

All negotiations between the ~~R~~regional ~~S~~chool ~~C~~ommittee and recognized employee groups are conducted subject to ~~Chapter 150E~~ of the Massachusetts General Laws. The legal status of negotiations is defined in part by Section 2 of that chapter, as follows:

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

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~~Established by law~~¶

**SOURCE: MASC September 2016**

LEGAL REF.: M.G.L. [150E:1](#) et seq.

**File: HF - SCHOOL COMMITTEE NEGOTIATING AGENTS**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

The Regional School Committee is responsible for negotiations with recognized employee bargaining units. ~~However, because of the expertise and time required for negotiations, the chairperson of the Regional School Committee will annually appoint a three member negotiation sub-committee for the teachers association and a second sub-committee for the custodians, cafeteria workers and secretary/teacher assistants.~~

~~The Committee may appoint-hire~~ a negotiator to bargain in good faith with recognized bargaining units to help assure that mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed.

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

The duties of the negotiator will be as follows:

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

**SOURCE: MASC**

LEGAL REF.: M.G.L. [71:37E](#)



**File: HF - SCHOOL COMMITTEE NEGOTIATING AGENTS**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

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

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

The duties of the negotiator will be as follows:

1. To negotiate in good faith with recognized bargaining units to arrive at a mutually satisfactory agreement on wages, hours, and working conditions of employees represented by the units.
  - a. The negotiator may recommend members of the administration to serve on the negotiation team. They will not be members of any unit that negotiates with the Regional School Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Regional School Committee.
  - b. They will direct accumulation of necessary data needed for negotiations, such as comparative information.
  - c. They will follow guidelines set forth by the Regional School Committee as to acceptable agreements and will report on the progress of negotiations.
  - d. They will make recommendations to the Regional School Committee as to acceptable agreements.
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SOURCE: MASC

LEGAL REF.: M.G.L. [71:37E](#)

**File: IB - ACADEMIC FREEDOM**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

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

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

**SOURCE: MASC October 2016**

LEGAL REFS.: M.G.L. Constitution of the Commonwealth of Massachusetts

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SOURCE: MASC October 2016

LEGAL REFS.: M.G.L. Constitution of the Commonwealth of Massachusetts

**File: IC/ICA - SCHOOL YEAR/SCHOOL CALENDAR**

**Reviewed for PSC SC 1st Reading 12/7/2020**

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

1. The Regional School Committee shall schedule a school year which includes at least 185 school days for each school in the District.
2. The King Philip Schools will operate for a minimum of 180 days. Schools shall ensure that every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time, per ~~603 CMR 27.02~~ regulation. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

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

SOURCE: MASC April 2019

LEGAL REFS.: M.G.L. [4:7](#); ~~6915:1G~~; [71:1](#); [71:4](#); [71:4A](#); [71:73](#); [136:12](#)

~~603 CMR [27.00](#)~~,¶

~~Board of Education Regulations for School Year and School Day, effective [9/1/75](#)~~¶

~~Board of Education, Student Learning Time Regulations~~¶

~~603 CMR [27.00](#), Adopted 12/20/94~~¶

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603 CMR [27.00](#),

**File: ID - SCHOOL DAY**

**Reviewed for PSC -SC 1st Reading 12/7/2020**

The established length of the school day as well as specific opening and closing times of the schools may be subject to **the collective bargaining agreements with various school unions.**

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

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

**SOURCE: MASC April 2019**

**LEGAL REFS.: M.G.L. [15:1G](#); [69:1G](#); ~~[71:1](#)~~; [71:59](#)**

**603 CMR 27.00**

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SOURCE: MASC April 2019

LEGAL REFS.: M.G.L. [15:1G](#); 69:1G; [71:59](#)

603 CMR 27.00

**File: IGA - CURRICULUM DEVELOPMENT**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

Constant adaptation and development of the curriculum is necessary if the ~~D~~istrict is to meet the needs of the students in its schools. To be successful, curriculum development must be a collaborative enterprise involving staff and administrators utilizing their professional expertise. ~~and gathering input from parents and community.~~

The Regional School Committee expects ~~its~~ the faculty and administration to regularly evaluate the education program and to recommend modifications of practice, ~~and~~ changes in curriculum content with respect to the Massachusetts Curriculum Frameworks, and the addition or deletion of courses to the instructional programs.

**SOURCE: MASC April 2019**

LEGAL REF.: M.G.L. [69:1E](#); ~~[71:1](#)~~

**603 CMR 26:05**



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SOURCE: MASC April 2019

LEGAL REF.: M.G.L. [69:1E](#);

603 CMR 26:05

**File: IGB - SUPPORT SERVICES PROGRAMS**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

~~To support the classroom activities and other instructional needs of the District, various educational services as listed shall be provided.~~ The Student Support Services staff will work in cooperation with District building staff and the administration of the District in (1) the to coordination and the supervision of the curriculum implementation of curriculum, the instructional program, and (2) support services programs to meet the needs of all students.

~~Curricular Supervision and Coordination~~

~~Coordinating personnel for specific curricular areas shall be assigned by the administration. These coordinators shall assist in the organization, supervision, and coordination of subject material and activities in the schools.~~

~~Support Services~~

~~The 504 Coordinator~~ The Assistant Superintendent and Director of Student Support Services shall be responsible for all services for students who are not eligible for special education assistance, such as psychological services, speech correction, homebound and hospital teaching and such other programs as may be assigned.

SOURCE: MASC April 2019

CROSS REFS.: [ACE](#), Nondiscrimination on the Basis of Handicap

Note: District to reflect local configuration.

**File: IGB - SUPPORT SERVICES PROGRAMS**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

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

The Assistant Superintendent and Director of Student Support Services shall be responsible for all services for students who are not eligible for special education assistance, such as psychological services, speech correction, homebound and hospital teaching and such other programs as may be assigned.

SOURCE: MASC April 2019

CROSS REFS.: [ACE](#), Nondiscrimination on the Basis of Handicap

**File: IHAM - HEALTH EDUCATION**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

~~Good health depends upon continuous life long attention to scientific advances and the acquisition of new knowledge.¶~~

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

The Regional School Committee is committed to a sound, comprehensive, **research-based** health education program as an integral part of each student's general education.

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

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

**SOURCE: MASC April 2019**

**LEGAL REF.: M.G.L. [71:1](#)**

**File: IHAM - HEALTH EDUCATION**

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SOURCE: MASC April 2019

LEGAL REF.: M.G.L. [71:1](#)

**File: IHAMB - TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO**

**Reviewed for PSC 11/2/2020 -SC 1st Reading 12/7/2020**

In accordance with state and federal law, the District shall provide age appropriate, developmentally appropriate, evidence-based drug and alcohol, and tobacco and drug prevention education and prevention programs in grades 7-12.

The drug and alcohol, and tobacco and drug prevention education program shall address the legal, social, and health consequences of drug and of alcohol, tobacco and drug use, with emphasis on nonuse by school-age children. The program shall include special instruction information as to the effects upon the human system; the emotional, psychological and social dangers of such use with emphasis on nonuse by school age children and the illegal aspects of such use. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use for resisting peer pressure to use illicit drugs or alcohol, tobacco, or drugs.

The objectives of this program, as stated below, are rooted in the Board's Regional School Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision making, each individual to the dangers of drugs, alcohol, and tobacco.

~~To create an awareness of the total drug problem prevention, education, treatment, rehabilitation, and law enforcement on the local, state, national and international levels.¶~~

~~To relate the use of drugs and alcohol and tobacco to physical, mental, social and emotional practices.¶~~

~~To develop the student's ability to make intelligent choices based on facts and to develop the courage to stand by one's own convictions.¶~~

~~To understand the personal, social and economic problems caused by the misuse of drugs and alcohol.¶~~

~~To develop an interest in preventing illegal use of drugs in the community.~~

To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.

To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.

To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the [Regional School Committee](#).

This policy shall be posted on the District's website and notice shall be provided to all students and parents/guardians in accordance with state law. Additionally, the District shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

SOURCE: MASC March 2016

LEGAL REFS.: M.G.L. [71:1](#); 71:96

CROSS REFS: [GBEC](#), Drug Free Workplace Policy

JICH, Drug and Alcohol Use by Students

Approved 11/7/16

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The objectives of this program, as stated below, are rooted in the Regional School Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision making.

To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.

To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.

To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the Regional School Committee.

This policy shall be posted on the District's website and notice shall be provided to all students and parents/guardians in accordance with state law. Additionally, the District shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

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CROSS REFS: [GBEC](#), Drug Free Workplace Policy

JICH, Drug and Alcohol Use by Students

Approved 11/7/16



**File: IHB - SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMODATIONS  
(Programs for Children with Special Needs)**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

The goals of ~~the District's~~<sup>this school district's</sup> special education program are to allow each child to grow and achieve at ~~his/her~~<sup>their</sup> own level, to gain independence and self-reliance, and to return to the mainstream of school society as soon as possible.

All applicable state and federal ~~requirements of Chapter 71B and the Massachusetts General Laws (known as Chapter 766 of the Acts of 1972) and state laws and~~ regulations will be followed in the identification of children with special needs, in referrals for their evaluation, in prescribing for them suitable programs and in assessing their educational progress. In keeping with state requirements, all children with special needs between the ages of three through twenty-two~~one~~ who have not attained a high school diploma or its equivalent will be eligible for special education.

The Regional School Committee believes that most children with special needs can be educated in the regular school program if they are given special instruction, accommodations, and the support they need. These children should also be given the opportunity to participate in the school ~~system's~~<sup>district's</sup> non-academic and extracurricular activities.

The Regional School Committee recognizes that the needs of certain children are so great that special programs, special classes, or special schools may be necessary. When appropriate programs, services, or facilities are not available within the public schools, the **Regional School Committee** will provide these children with access to schools where such instruction and accommodations are available.

It is the desire of the Regional School Committee that the schools work closely with parents/**guardians** in designing and providing programs and services to children with special needs. Parents/**guardians** will be informed, and conferred with, whenever a child is referred for evaluation. In event of any disagreement concerning diagnosis, program plan, special placement, or evaluation, the parents/**guardians** will be accorded the right of due process.

The Regional School Committee will secure properly trained personnel to work with the children with special needs. Since the financial commitment necessary to meet the needs of all of these children is extensive, the **Regional School Committee** will make every effort to obtain financial assistance. ~~from all sources.~~

**SOURCE: MASC April 2019**

LEGAL REFS.: The Individuals with Disabilities Education Act (PL 108-446 adopted 12/03/04)  
Rehabilitation Act of 1973

M.G.L. **71B:1** et seq. (~~Chapter 766 of the Acts of 1972~~)

~~Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 7/1/81¶~~

603 CMR [28:00](#) inclusive

**File: IHB - SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMODATIONS  
(Programs for Children with Special Needs)**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

The goals of the District's special education program are to allow each child to grow and achieve at their own level, to gain independence and self-reliance, and to return to the mainstream of school society as soon as possible.

All applicable state and federal laws and regulations will be followed in the identification of children with special needs, in referrals for their evaluation, in prescribing for them suitable programs and in assessing their educational progress. In keeping with state requirements, all children with special needs between the ages of three through twenty-two who have not attained a high school diploma or its equivalent will be eligible for special education.

The Regional School Committee believes that most children with special needs can be educated in the regular school program if they are given special instruction, accommodations, and the support they need. These children should also be given the opportunity to participate in the school district's non-academic and extracurricular activities.

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Rehabilitation Act of 1973

M.G.L. [71B:1](#) et seq.

603 CMR [28:00](#) inclusive

## **File: IHBA - OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS**

### **Reviewed for PSC -SC 1st Reading 12/7/2020**

1. Parents'/**guardians**' request to observe their child(ren), current program, or a potential placement must be made at least five days in advance with the Special Education Director or designee and/or Principal.
2. The Special Education Director or designee shall contact the parent(s)/**guardian(s)** for **an** initial scheduling conversation within five (5) days of receipt of the parents'/**guardians**' request.
3. When a parent/**guardian** requests an observation of a special needs student or program, the Special Education Director or designee will seek approval from the Director of Special Education and the building **p**Principal before it is processed. Such approval may only be withheld for those reasons outlined **by**~~within~~ law and DESE regulation.
4. The Special Education Director or designee and/or Principal will work with the classroom teacher and the observer to set up the specifics of the observation (including, but not limited to, scheduling and placement of the observer in the classroom).
5. The number, frequency, and duration of observation periods will be determined on an individual student basis in accordance with law and regulation. The start and end time of observation periods and a schedule of observation periods will be stated in advance. In order to minimize classroom or student disruption, the length of individual observation periods may be limited.
6. If the observer is not the parent/**guardian**, the parent/**guardian** must sign a release for the individual to observe.
7. The number of observers at any one time may be limited.
8. The observer will be informed that ~~he/she is~~ **they are** not to interfere with the educational environment of the classroom. If ~~his/her~~ **their** presence presents a problem, he/she will be asked to leave. This notice is particularly important, since the presence of parents/**guardians** can influence both the performance of their child(ren) and those of others.
9. The observer will be asked to submit ~~his/her~~ **their** report of the observation in advance of any follow-up TEAM meeting.
10. The observer will be informed that ~~he/she~~ **they are** ~~is~~ there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. ~~He/she~~ **They are** ~~is~~ not there to evaluate a teacher's ability to perform his or her contractual job duties.
11. The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff must be mindful of removing

materials which may be part of students' records from plain view. In the event that removal is not possible the observer may be asked to sign a non-disclosure agreement.

12. A school administrator, or designee, also will observe at the same time and take notes as to what is observed, paying particular attention to note anything that is non-typical concerning the period. This observation summary may be placed in the student's file and provided, upon request, to the parent(s)/**guardian(s)** prior to any follow-up TEAM meeting. ▀

LEGAL REF.: MGL [71B:3](#)

Massachusetts Department of Elementary and Secondary Education Technical Assistance Advisory SPED 2009-2 dated January 8, 2009

CROSS REFS.: [KI](#), Visitors to Schools

**SOURCE: MASC**

**ADOPTED: September 2009**

**File: IHBA - OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS**

**Reviewed for PSC -SC 1st Reading 12/7/2020**

1. Parents'/guardians' request to observe their child(ren), current program, or a potential placement must be made at least five days in advance with the Special Education Director or designee and/or Principal.
2. The Special Education Director or designee shall contact the parent(s)/guardian(s) for an initial scheduling conversation within five (5) days of receipt of the parents'/guardians' request.
3. When a parent/guardian requests an observation of a special needs student or program, the Special Education Director or designee will seek approval from the Director of Special Education and the building Principal before it is processed. Such approval may only be withheld for those reasons outlined bylaw and DESE regulation.
4. The Special Education Director or designee and/or Principal will work with the classroom teacher and the observer to set up the specifics of the observation (including, but not limited to, scheduling and placement of the observer in the classroom).
5. The number, frequency, and duration of observation periods will be determined on an individual student basis in accordance with law and regulation. The start and end time of observation periods and a schedule of observation periods will be stated in advance. In order to minimize classroom or student disruption, the length of individual observation periods may be limited.
6. If the observer is not the parent/guardian, the parent/guardian must sign a release for the individual to observe.
7. The number of observers at any one time may be limited.
8. The observer will be informed that they are not to interfere with the educational environment of the classroom. If their presence presents a problem, he/she will be asked to leave. This notice is particularly important, since the presence of parents/guardians can influence both the performance of their child(ren) and those of others.
9. The observer will be asked to submit their report of the observation in advance of any follow-up TEAM meeting.
10. The observer will be informed that they are there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. They are not there to evaluate a teacher's ability to perform his or her contractual job duties.
11. The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff must be mindful of removing materials which may be part of students' records from plain view. In the event that removal is not possible the observer may be asked to sign a non-disclosure agreement.

12. A school administrator, or designee, also will observe at the same time and take notes as to what is observed, paying particular attention to note anything that is non-typical concerning the period. This observation summary may be placed in the student's file and provided, upon request, to the parent(s)/guardian(s) prior to any follow-up TEAM meeting.

LEGAL REF.: MGL [71B:3](#)

Massachusetts Department of Elementary and Secondary Education Technical Assistance Advisory SPED 2009-2 dated January 8, 2009

CROSS REFS.: [KI](#), Visitors to Schools

SOURCE: MASC

ADOPTED: September 2009

**File: IHBEA - ENGLISH LANGUAGE LEARNERS LEARNER EDUCATION**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

The **Regional School** District shall provide suitable research-based language instructional programs for all identified English ~~language~~ learners in grades ~~Kindergarten- 7~~ through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Elementary and Secondary Education (~~DESE~~) regulations and guidance.

The District shall identify students whose dominant language may not be English through

- ~~home language surveys that identify a primary home language is other than English~~
- ~~(PHLOTE), observations;~~
- ~~intake assessments~~
- ~~and recommendations of parents/guardians, teachers and other persons.~~
- 

~~Identified students shall be assessed annually to determine their level of proficiency in the English language.~~

The District shall certify to ~~DESE the Massachusetts Dept. of Elementary and Secondary Education~~ each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by ~~the Massachusetts Dept. of Elementary and Secondary Education DESE~~ to comply with ~~the No Child Left Behind Act federal law.~~

SOURCE: MASC April 2019

LEGAL REFS.: ~~Elementary and Secondary Education Act, as amended~~

~~20 U.S.C. 3001 et seq. (language instruction for limited English proficient and immigrant students contained in No Child Left Behind Act of 2001)~~

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

603 CMR 14.00



**File: IHBEA - ENGLISH LEARNER EDUCATION**

**Reviewed for PSC - SC 1st Reading 12/7/2020**

The Regional School District shall provide suitable research-based language instructional programs for all identified English learners in grades 7 through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Elementary and Secondary Education (DESE) regulations and guidance.

The District shall identify students whose dominant language may not be English through

- home language surveys that identify a primary home language is other than English
- observations
- intake assessments
- recommendations of parents/guardians, teachers and other persons.
- 

Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to DESE each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by DESE to comply with federal law.

SOURCE: MASC April 2019

LEGAL REFS.: Elementary and Secondary Education Act, as amended

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

603 CMR 14.00