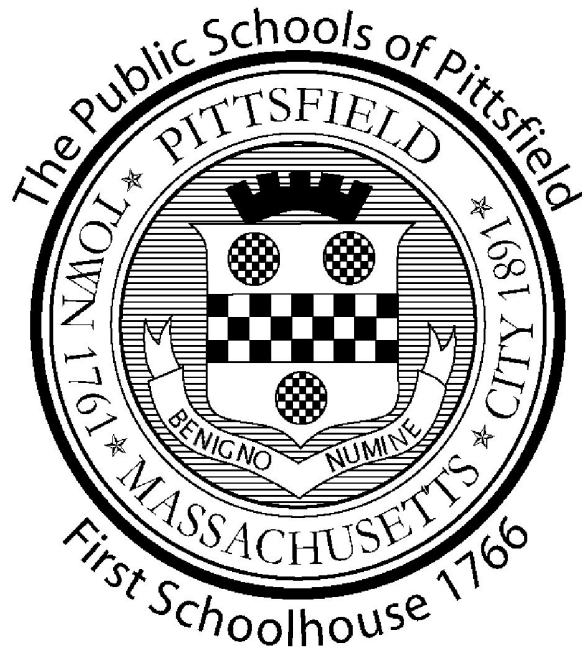


Pittsfield Public Schools



Employee Handbook for 2018-2019

The Pittsfield Public Schools, in accordance with its non-discrimination and zero tolerance policy, does not discriminate in its programs, activities, facilities, employment, or educational opportunities on the basis of race, color, age, disability, sex, religion, national origin, sexual orientation, or gender identity and does not tolerate any form of discrimination, intimidation, threat, coercion and/or harassment that insults the dignity of others by interfering with their freedom to learn and work. [M.G.L. c.76, s5]

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Pittsfield Public Schools Administration

Administration:

Mercer Administration Center

269 First Street

Dr. Jason McCandless, Superintendent

499-9512

Joseph Curtis, Deputy Superintendent

499-9510

Tammy Gage Interim Assistant Supt. for CTE

448-9601

Harry R. Hayes, JD, PHR, Director of Human Resources

499-9505

Kristen Behnke, Assistant Supt. for Business and Finance

499-9502

<h3><u>Special Education Department</u></h3> <p>Mercer Administration Center 269 First Street 499-9515 Gretchen West, Director</p>	<h3><u>Curriculum Department:</u></h3> <p>Mercer Administration Center 269 First Street 499-9523</p>
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<p>Lee Steele, Supervisor</p>	<p>Judy Rush, Director, Reading/Title I Virginia Guglielmo-Brady, ELL Coordinator</p>
<p><u>Home Tutoring Services:</u> Mercer Administration Center 269 First Street 499-9519 Jennifer Jennings, Coordinator</p>	<p><u>Transportation:</u> 442 Merrill Rd. 499-9525 Sue Wendling, Director</p>
<p><u>Custodial Services, Grounds Maintenance, & Warehouse:</u> Hibbard, 280 Newell St. 499-9528 Jim Larrow, Director</p>	<p><u>Food Service:</u> 96 Valentine Rd. (Taconic High School) 448-9608 Sylvana Bryan, Director</p>
<p><u>Information Technology Services:</u> Mercer Administration Center 269 First Street 499-9507</p> <p>Randy McLeod, Technology Director Matt Gravel, Technology and Data Coordinator Karen Shields, Technical Professional Development Coordinator Colleen Kelly, Data Manager Mike Lausier, Technician Greg Bard, Technician Dan Norton, Technician Jennifer Salvatore, Secretary</p>	

PART I. Mission of the Pittsfield Public Schools

1. Mission of Pittsfield Public Schools

The Pittsfield School Committee has established the school system's mission as follows:

The mission of the Pittsfield Public Schools is to enable every student to develop his or her interests and abilities to their fullest potential. The goal toward which our mission is directed is not only individual accomplishment, but also the betterment of society as a whole. (Policy FND-12).

2. Superintendent's Annual Goals

The Superintendent of Schools annually establishes publicly announced goals that focus the attention of all Pittsfield Public Schools' employees on the means to further the mission set forth in I § 1, above. The Superintendent's goals for the current school year can be found on our website.

PART II. School System Governance

1. Appointing Authority for Employees

Pursuant to Massachusetts law, and with the exceptions stated here, the Superintendent of Schools is the appointing authority for all employees of the Pittsfield Public Schools. The exceptions to the Superintendent's status as appointing authority are: Superintendent of Schools, Deputy Superintendent, Assistant Superintendent(s), Director of Special Education, School Business Administrator, School Nurses, and Supervisor of Attendance. The Pittsfield School Committee, elected biennially by the voters of Pittsfield, is the appointing authority for those six positions. The names of all newly hired regular employees of the Pittsfield Public Schools are submitted to the School Committee as part of a personnel report provided at regularly scheduled School Committee meetings for members' information.

2. School Committee's Duties

The Pittsfield School Committee, which is elected biennially by the voters of Pittsfield, is created under the laws of the Commonwealth of Massachusetts and the Charter of the City of Pittsfield to oversee the operation of the Pittsfield Public Schools. Its principal responsibilities include: employment of a Superintendent of Schools as chief executive officer of the school system; adoption annually of a budget for the operation of the schools; adoption of policies and procedures for the governance of the school system; adoption of curricula and textbooks for the education of the children of the city; and negotiation and ratification of M.G.L. c. 150E collective bargaining agreements with Pittsfield Public Schools employee bargaining units.

3. School Committee's Composition

The Pittsfield School Committee is composed of seven members. (See p. ii, above). Six members are elected at large by the city's electorate every two years. The seventh member is the Mayor of Pittsfield,

who serves on the School Committee *ex officio*. The names, addresses, and telephone numbers of the members of the current members of the School Committee are listed on our website.

4. *School Committee Meetings*

According to its adopted rules (*see* Policy SC-15, “Revised Rules and Orders of the Pittsfield Public School Committee”) the Pittsfield School Committee holds regular business meetings twice monthly, except for November and July, when the Committee meets only once. The Committee meets ordinarily in the Media Center at Pittsfield High School on the second and fourth Wednesday of each month. Its meeting begins at 6:00 p.m. All meetings are open to the public. School Committee meetings are regularly televised on a local public access station. The Committee annually adopts a calendar stating its meeting dates. The calendar is available on the district’s website: www.pittsfield.net.

5. *Posting of School Committee Meetings*

Regular meetings of the Pittsfield School Committee, as well as special meetings, hearings, and meetings of its subcommittees, are posted at City Hall in accordance with M.G.L. c. 39 § 23B and Policy SC-15 of the Pittsfield School Committee.

6. *School Committee Policy Manual*

Topics Addressed. The duly adopted policies of the Pittsfield School Committee, along with federal and state statutes and regulations, are the rules by which the Pittsfield Public Schools are to be governed. These policies are compiled in a policy manual, which sets forth Committee policies in the following areas: foundation and basic commitment; School Committee governance and operations; general school administration; fiscal management; support services; facilities development; personnel; negotiations; instruction; students; school-community relations; and education agency relations. The manual is updated annually as new policies are adopted and existing policies are revised as needed.

Location of Copies. A complete set of Pittsfield School Committee policies can be found at the Pittsfield Public Schools’ website (www.pittsfield.net)

Every employee of the Pittsfield Public schools should become familiar with the School Committee’s policies, particularly those that pertain to her/his area(s) of responsibility.

7. *School District Website*

The Pittsfield Public Schools maintains a website at which can be found considerable information about the school system. In addition to the School Committee’s policy manual, the website contains collective bargaining agreements with each of the unions, websites for the system’s individual schools, links to outside websites, including those of the Massachusetts Department of Elementary and Secondary Education (DESE), postings of job vacancies and positions available in the school system, and other items of interest to the Pittsfield Public Schools’ community and the general public. The website address is: www.pittsfield.net

8. *Section of the Website for PPS Staff*

To access documents that are specifically for PPS employees, do the following.

1. First, log into your pittsfield.net Google account. To do this, you can go to mail.google.com and sign into your pittsfield.net account.

NOTE: If you have a personal Gmail account, please be aware that your personal account will NOT allow you access to the document. You will need to sign into Google using your pittsfield.net account.

2. Next, launch a browser and go to www.pittsfield.net

3. On the top menu bar of the website (the black bar), you will see “For PPS Staff,”



4. Click on “For PPS Staff” and you will be taken to a Google Doc with a list of items that are available to our staff only—not to the public.

PART III. Discrimination, Prohibitions, and Reporting Procedures

1. Employment Non-Discrimination Statement

The Pittsfield Public Schools strictly prohibits discrimination against candidates for employment and also against employees on the basis of race, color, religious creed, national origin, sex, sexual orientation, which shall not include persons whose sexual orientation involves minor children as the sex object, genetic information, ancestry, or handicapping condition, unless based upon a bona fide occupational qualification. (Policy PER-4).

2. Discriminatory Conduct by Employees Prohibited

Each employee of the Pittsfield Public Schools shall conduct her/himself in a way that does not discriminate in any fashion, based on the protected categories cited in III § 1, above, and XII § 6, below, against any other employee, any student, or any other person encountered in the course of that employee’s work for the Pittsfield Public Schools.

Under the Massachusetts Pregnant Workers Fairness Act, employees have a right to be free from discrimination based on pregnancy or a condition related to pregnancy and employees also have rights to reasonable accommodations relating to conditions of pregnancy. Requests for reasonable accommodations should be made in writing to the Director of Human Resources at 269 First Street, Pittsfield, Massachusetts 01201.

A Pittsfield Public Schools employee who is found to have discriminated against any person in the course of her/his employment by the Pittsfield Public Schools, whether that person be a fellow employee, a student, or a member of the public, may be subject to disciplinary action, up to and including termination. In addition, where a criminal violation is deemed likely to have occurred, the matter will be referred to appropriate law enforcement authorities. (*See Policies PER-6, PER-8, PER-10, PER-14, PER-14A, STU-3, passim.*)

3. *Examples of Prohibited Discriminatory Conduct*

Examples of conduct that is discriminatory, and that therefore is strictly prohibited for any employee or agent of the Pittsfield Public Schools include:

- racial harassment;
- sexual harassment, both *quid pro quo* and hostile workplace environment;
- harassment of an individual for her/his sexual orientation;
- harassment of a person because of her/his disability or handicapping condition;
- harassment of a person because of her/his country of origin or first language;
- harassment of a person because of her/his religious beliefs or views; and
- refusal to make an offer of employment to a person with a handicapping condition that

can be accommodated reasonably where that person's handicapping condition is the basis for the denial of employment.

This is not an exclusive or exhaustive list of discriminatory conduct that is prohibited.

4. *Filing a Complaint About Discrimination*

A. Where to File a Complaint. Any employee or other person who believes that she/he has been the victim of discrimination on the basis of any of the categories listed above should promptly register a complaint, giving as much specific information as possible, either to the employee's immediate supervisor or, if the supervisor is the person whose conduct is being complained of, or if the employee otherwise prefers, to the Civil Rights Compliance Officer (*see* III § 9, below).

B. What Happens After a Complaint is Filed. Complaints should be made in writing, if possible. All complaints will be taken seriously and will be investigated thoroughly. If, after investigation, a complaint is determined to be warranted then appropriate action, up to and including disciplinary action against the person or persons who behave in a discriminatory fashion, will be taken to rectify the situation and to try to ensure that it does not happen again.

C. Massachusetts Commission Against Discrimination (MCAD). Employees of the Pittsfield Public Schools who believe that their complaints alleging discrimination have not been dealt with in a satisfactory manner may receive further information and assistance by contacting:

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

5. *Non-Confidentiality of Complaints About Discrimination*

Employees who make a complaint about discrimination often wish their identities to be kept in confidence. This is not always possible. A complaint about discrimination obliges the Pittsfield Public Schools to investigate that complaint thoroughly, and to take prompt and effective action to rectify any discrimination that is found. To do this effectively the nature of the complaint and the identity of the complainant may have to be made known to some persons besides the administrator who receives the complaint. What is more, those against whom complaints are filed have legal protections, including due process rights, that must be respected.

For these reasons the Pittsfield Public Schools cannot assure an employee who makes a discrimination complaint of the strict confidentiality of that employee's identity. Nevertheless, disclosure of a complainant's identity will occur only when there is a sufficient and recognized reason for making such disclosure. Moreover, anyone who makes a discrimination complaint is protected against retaliation by federal and state law and by School Committee policy.

6. Retaliation for Reports of Discriminatory Conduct Prohibited

It is prohibited by federal and state law and by School Committee policy for an employee of the Pittsfield Public Schools to retaliate against any person who has reported that she/he has been the victim of discrimination, or against any person who is cooperating or who has cooperated with such an investigation. It is further strictly prohibited for any employee to encourage, assist in, or promote retaliation against any such person, or otherwise to interfere or seek to interfere with the investigation of a complaint alleging discriminatory conduct. (*See* M.G.L. c. 151B § 3A; see also Policies PER-14, PER-14A.)

Retaliation by any person employed by the Pittsfield Public Schools against a person who has complained about discrimination, or engagement in other conduct described in the previous paragraph, will be viewed as a very serious disciplinary infraction. Such conduct may be dealt with by penalties that include termination of employment. Discriminatory acts that are believed to rise to the level of criminal conduct will be referred to proper law enforcement authorities for further action.

7. Knowingly Making False Discrimination Complaints Prohibited

It is strictly prohibited for any employee of the Pittsfield Public Schools to knowingly make a false report of discrimination against any other employee, any student, or any other person. In the event it is determined after thorough investigation that an employee has knowingly made a false report of discrimination, that employee may be subject to disciplinary action, up to and including termination. In addition, where a criminal violation is deemed likely to have occurred, the matter may be referred to appropriate law enforcement authorities.

8. Reporting a Complaint or Concern (non-discriminatory)

The Pittsfield Public Schools encourages all employees to be active members of a professional and respectful learning community. An employee should report complaints or concerns which are not otherwise covered in this section to his/her direct supervisor. All complaints/concerns will be handled first at the building level. The employee may make an appeal to the next level if closure is not reached.

If the concern is about the employee's direct supervisor, then the employee may go directly to the next level.

9. Reasonable Accommodations for Individuals with Disabilities

Pursuant to the requirements of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and applicable Massachusetts law (M.G.L. c. 151B), the Pittsfield Public Schools will provide reasonable accommodations for an employee who is legally entitled to such accommodations pursuant to either of these statutes. Specific information about employees' rights under the ADA and Section 504, or about reasonable accommodations thereunder, may be obtained from the Civil Rights Compliance Officer of the Pittsfield Public Schools. (*See* Policies PER-4, PER-6).

10. Civil Rights Compliance Officer

The Pittsfield School Committee has designated the Director of Human Resources as the Civil Rights Compliance Officer of the Pittsfield Public Schools. The Director is responsible for ensuring enforcement of all prohibitions of discriminatory conduct, all matters of reasonable accommodation of persons with handicapping conditions, and all other matters pertaining to civil rights that may arise in the Pittsfield Public Schools under Title VI, Title VII, Title IX, Chapter 622, the Americans with Disabilities Act, Section 504, and all other pertinent statutes.

Complaints about discrimination, inquiries, and other matters pertaining to civil rights compliance should be addressed to:

Director of Human Resources
Pittsfield Public Schools
269 First Street
Pittsfield, MA 01201
Telephone no. (413) 499-9505
Fax. no. (413) 448-8886

In addition, The School Committee has designated Ann Marie Carpenter as co-Civil Rights Compliance Officer of the Pittsfield Public Schools for matters pertaining to Title IX (discrimination on the basis of sex, including sexual harassment). In addition to the Director of Human Resources, or in the alternative, complaints about discrimination, inquiries, and other matters pertaining to Title IX compliance should be addressed to:

Ann Marie Carpenter
Unit Leader, School Psychologists & School Adjustment Counselors
Pittsfield Public Schools
269 First Street
Pittsfield, MA 01201
Telephone no. (413) 499-9518
acarpenter@pittsfield.net

PART IV. Human Resources, Payroll, and Expense Reimbursement

1. Human Resources Office

A. Location and Hours of Operation.

The Human Resources Office of the Pittsfield Public Schools is located on the first floor of the Mercer Administration Building at 269 First Street (phone: (413) 499-9505 fax: (413) 448-8886.

Regular business hours during the school year are 7:30 a.m. to 4:00 p.m. Regular business hours from the end of the school year until the opening day of school are 7:30 a.m. to 3:30 p.m.

B. Office Responsibilities. The Human Resources Office is the official site of all personnel records for school district employees, past and present. An employee should contact the Human Resources Office with any questions or concerns regarding the following topics: sick leave accumulation and use; personal leave use; accuracy of compensation; the contents and inspection of personnel records; questions regarding leave, either paid or unpaid; absences for medical or other reasons; and any other matter pertaining to employment issues with the Pittsfield Public Schools.

C. Civil Rights Compliance Officer. The Director of Human Resources is the designated Civil Rights Compliance Officer for the school district. Questions, problems, or complaints regarding civil rights or compliance with applicable rules or statutes should be addressed to her/him.

2. *Grants, Payroll and Benefits Office*

A. Location. The Pittsfield Public Schools Grants, Payroll and Benefits Office are located on the first floor of the Mercer Administration Center 269 First Street, Pittsfield, MA 01201.

B. Telephone Numbers

Certified employees (members of the UEP, PEAA, and non-bargaining employees): (413) 499-9572

Non-certified employees (paraprofessionals, secretaries, custodians):

(413) 499-9503.

Benefits phone: (413) 499-9506

Grants phone: (413) 499-9504

C. Regular Business Hours:

Opening day of school through the end of school year: 7:00 a.m. to 4:00 p.m. End of school year until opening day of school: 7:00 a.m. to 3:30 p.m.

3. *Pay Dates*

Employees of the Pittsfield Public Schools are paid every other . Twelve-month employees (principals, other administrators, custodians, 52-week secretaries) are paid 26 times/year. School-year employees (teachers, paraprofessionals, school year secretaries, cafeteria employees, bus drivers) are paid either 26, 21, or 20 times annually, depending on their individual or collective bargaining agreements,. Persons employed for a shorter period will be paid as required by their length of actual service.

The pay dates for the current school and contract years are shown on the district's website.

4. *Payroll Procedures*

A. Paperwork Requirements Upon Employment. Every new employee of the Pittsfield Public Schools is required to: (1) complete an IRS W-4 (tax withholding) form; (2) enroll in a retirement system or plan; (3) complete a CORI (criminal history background check) authorization form; (4) complete an I-9 form as required by the U.S. Immigration and Naturalization service; (5) if being employed in a position requiring a license or certificate from the Mass. Department of Elementary & Secondary Education (DESE): complete statement of the

individual's certification or licensure status and provide a copy of the certificate or license, as appropriate; and (6) complete such other paperwork as may be required by the Personnel Office.

Only upon completion of legally required paperwork will an employee be able to receive a paycheck.

B. Closing of Payroll. Paychecks for all Pittsfield municipal employees, including employees of the Pittsfield Public Schools, are issued by the City of Pittsfield. Timesheets and other documentation required to ensure payment must be submitted to Payroll not later than one (1) week prior to the pay date on which payment is anticipated.

C. Making Changes in Benefit Coverage. Changes in an employee's benefits, including insurance coverage, are made either through the Benefits Office (Room 101, 269 First St., Pittsfield, MA 01201). Changes in tax-deferred annuity withholding, credit union deductions, and other matters related to payroll are made through the Payroll Office (Room 101, 269 First St.).

Time is of the essence in making such changes. For example, if an employee needs to add a dependent to her/his health insurance, or marries and needs health insurance coverage for her/his new spouse, or loses her/his coverage on another person's insurance and needs to enroll in the City's health insurance coverage, then this must be done immediately when the benefits change is needed.

5. *Employee Expense Reimbursement*

The Pittsfield Public Schools follows the procedures mandated by the City of Pittsfield's Accountant in reimbursing employee expenses. No employee shall be entitled to reimbursement of any travel, meals, lodging, materials, or other expense incurred in the course of or as a consequence of her/his employment by the Pittsfield Public Schools without *express prior authorization* by the School Business Administrator or, in the case of professional employee travel for purposes of professional development, the Deputy Superintendent. Reimbursement for tolls, parking, food, or lodging requires an *original* receipt for each expense incurred for which reimbursement is sought.

[Click here to view expense reimbursement procedures.](#)

6. *Employee Mileage Reimbursement*

When a Pittsfield Public Schools employee's collective bargaining agreement or contract of employment so provides, and if that employee has an assignment that requires that she/he drive her/his own vehicle on work-related matters, then the employee may claim a mileage reimbursement for each duly reported mile traveled. The reimbursement rate is set annually at the Internal Revenue Code's deductible travel rate for the preceding 12 month period. The mileage reimbursement rate changes effective March 1 of each calendar year.

Travel from home to work and from work to home is not reimbursable.

Mileage claims should be submitted *monthly* rather than aggregated. Aggregated mileage reimbursement claims may not be paid. For further information about mileage reimbursement procedures, contact the Assistant Superintendent for Business and Finance.

7. *Ordering of Supplies or Equipment Requires Prior Authorization*

The only way that an employee of the Pittsfield Public Schools may order any item(s), supplies, materials, or services that are chargeable to the school budget, whether to local or to grant funds, is with prior approval. "Prior approval" means *only* a duly issued purchase order or, as circumstances may warrant, an appropriate Pittsfield Public Schools contract, on a form provided by the Assistant Superintendent for Business and Finance. All such purchase orders must be issued, and all such contracts must be duly executed, before the item(s), supplies, materials, or services may be purchased or rendered.

8. *Unauthorized Use of Tax Exempt Number Prohibited*

No employee of the Pittsfield Public Schools shall use the school district's tax exempt number under any circumstances whatsoever without the express prior consent of the Assistant Superintendent for Business and Finance.

9. *Employees' Access to Their Personnel Records*

The personnel records of the Pittsfield Public Schools are maintained in the Human Resources Office, Room 111, Administration Center, 269 First Street, Pittsfield, MA 01201. Any school system employee may view her/his own personnel file so long as the employee provides at least one working day's notice to the Director of Human Resources or her/his designee that the employee wishes to examine her/his own personnel file. Personnel files may not be removed from the Human Resources Office. Pursuant to M.G.L. c. 149 § 52C, an employee may receive a copy of her/his file if that employee provides at least five working days' written notice of wanting a copy of her/his records to the Director of Human Resources

PART V. Absences from Work

1. *Reporting Absences From Work*

Any absence from work, whatever the excuse, disrupts some aspect of the Pittsfield Public Schools' educational and support programs; therefore, an employee who must be absent from work for any reason should report her/his absence *as soon as possible after learning that the absence will occur*. Timely notice is needed in order to allow the school system to secure a substitute whenever necessary, and to plan for coverage in the employee's absence. All absences should be reported to the supervisor by 6a.m. [Click here for direction on how to do this in Absence Management \(formerly AESOP\).](#)

The following list shows whom each type of employee should report her/his absence to. The person whom the absence should be reported to is shown in italics.

NOTE: staff at the middle and high schools should refer to the school faculty handbooks for specific information regarding calling in absences.

A. Administrative Personnel

Principals:

To the *Deputy Superintendent* (499-9510)

Vice-Principals and Deans of Students: To the *Principal*

Curriculum Dept., Dir. of Special Education, Dir. of Title I: To the *Deputy Superintendent* (499-9510)

Director of ABE

To the *Deputy Superintendent* (499-9510)

Director of Custodial Services:

To the *School Business Administrator* (499-9502)

Director of Bus Operations:

To the *School Business Administrator* (499-9502)

Director of Food Services:

To the *School Business Administrator* (499-9502)

Network Manager:

To the *Superintendent* (499-9512)

B. Instructional Personnel

Teachers, Tutors, and Paraprofessionals

Regular Ed. & Special Ed., assigned to a specific school: to the *Principal* .

Regular Ed. assigned to more than one school: to the *Curriculum Dept.* (499- 9524) Special Ed. assigned to more than one school: to the *Special Education Office* (499-9515) Special Ed. Paraprofessionals to the *Special Education Office* (499-9519)

Tutors: to the *Coordinator of Home Tutoring Services* (499-9519)

Adult Basic Education Instructors:

To the *Director of Adult Basic Education* (499-9530)

C. Support Personnel

Psychologists and School Adjustment Counselors: To the *Director of Special Education* (499-9515)

Occupational & Physical Therapists:

To the *Director of Special Education* (499-9515)

Custodians & Grounds Crew:

To the *Director of Custodial Services* (499-9528)

Secretaries:

To the *Immediate Supervisor*

Bus drivers, bus monitors, & mechanics:

To the *Director of Bus Operations* (499-9525)

Cafeteria employees:

To the *Director of Food Services* (448-9608)

Technology Staff:

To the *Network Manager* (499-9507)

2. *Medical Absences*

A. Medical Evidence in Case of Illness

An employee who is absent from work for medical reasons for more than five (5) consecutive work days should provide a written statement from her/his physician or other licensed health care stating the employee's anticipated date of return to work. The employee's compliance with this rule will enable her/his supervisor and the Personnel Office to plan better for her/his absence, including making a determination of the need for a substitute.

B. Family and Medical Leave Act (F.M.L.A.)

1. Basic Information. Any employee who has been employed by the Pittsfield Public Schools for the preceding 12 months and worked a minimum of 1250 hours in those preceding 12 months, is entitled to the rights provided under the federal Family and Medical Leave Act of 1993 (FMLA). Under the FMLA qualified employees are entitled to up to 12 weeks (60 working days) of paid or unpaid leave (depending on collective bargaining agreements or employment contracts) for certain specified medical situations, either personal or familial, and for certain child-care or adoption situations.

2. How 12 Months Is Counted. The Pittsfield Public Schools counts the annual 12-month period of entitlement as starting when the specific employee is absent for a reason recognized as giving rise to leave under the FMLA.

3. Further Information. Specific information about the FMLA and employees who are covered by its provisions may be obtained from the personnel office in the Mercer Administrative Center.

C. Absence for Childbirth and Childrearing

1. Childbirth. An absence associated with pregnancy and childbirth is considered to be a medical absence. With a physician's statement of need for the time, an absence associated with pregnancy or childbirth is covered by Massachusetts law (M.G.L. c. 149 § 105D) and federal law (FMLA: *see* V § 2.B, above) and require that leave be provided for up to eight weeks and twelve weeks, respectively, for

this purpose. These entitlements run concurrently, not successively, and therefore are not cumulative. This leave might be paid or unpaid depending on the employee's access to paid sick leave and the conditions under which the leave is requested.

Specific information about leave for pregnancy or childbirth may be obtained from the office of the Director of Human Resources

2. Childrearing. Unless expressly provided through an employee's collective bargaining agreement or individual contract of employment, paid leave is not available for taking care of a newborn or very young child, or for adopting or caring for a newly adopted child. Nevertheless, employees covered by the FMLA are entitled to up to 12 weeks of unpaid leave with continuation of benefits for these purposes. The Superintendent of Schools may also consider such requests on a case-by-case basis.

Specific information about unpaid leave for childrearing leave may be obtained from the office of the Director of Human Resources

3. *Other Absences*

A. Personal Leave.

Personal leave is available to certain employees under either their pertinent collective bargaining agreement or their personal contracts of employment. Specific information about the availability of personal leave to a particular employee may be obtained by reading the applicable collective bargaining agreement (available on the district's website) or from the office of the Director of Human Resources.

B. Professional Leave.

Professional leave is available to teachers and administrators under conditions set forth in their respective pertinent collective bargaining agreements. It is also available to principals and certain other professional employees through their personal contracts of employment. Specific information about the availability of professional leave to a particular employee may be obtained from the office of the Deputy Superintendent.

C. Military Leave

In certain situations military leave with pay is available to Pittsfield Public Schools employees under Massachusetts law (M.G.L. c. 33 § 59) and the provisions of certain collective bargaining agreements. Specific information about the availability of military leave to a particular employee may be obtained from the office of the Director of Human Resources.

D. Jury Duty

Pursuant to the requirements of M.G.L. c. 234A § 48 *passim* and pertinent provisions of collective bargaining agreements, the Pittsfield Public Schools pays employees for time they spend on jury duty. Employees who serve on a jury therefore owe whatever compensation they receive for service on a jury on a regular working day to the Pittsfield Public Schools.

Employees absent from work because of jury duty are obliged by law to submit the juror service certificate they receive to their employer in order to be paid by their employer for jury service time. See M.G.L. c. 234A § 58.

An employee who is absent from work for jury duty and who is released from jury duty before the mid-point of that employee's work day is expected to return to work for the remainder of that workday.

E. Extended Leave for Other Employment.

The Pittsfield Public Schools does not provide extended leave, either paid or unpaid, to its employees for the purpose of seeking or engaging in other employment.

PART VI. General Employment Issues

1. *Basic Work Expectations of Employees*

Each person who is employed by the Pittsfield Public Schools has been hired in order to enable the school system to meet its obligations under Massachusetts and United States law, and to adhere to the school district's mission set forth in I § 1, above. Every employee furthers that objective either by providing direct services to students or by working in support of direct instruction and related programs that benefit children and young people.

The appointing authority (*see* II § 1, above) has certain basic expectations of each Pittsfield Public Schools employee. Those expectations are that each employee:

1. Attend work regularly and punctually unless excused due to emergency, illness, or previously approved absence;
2. Show respect to other employees, students, and members of the public
3. Take due care with all property of the Pittsfield Public Schools;
4. Be honest and forthright in reporting absences from work, handling or accounting for school district funds, and making claims either for payment for services or for reimbursement from the Pittsfield Public Schools;
5. Adhere strictly to the established rules, policies, and procedures of the Pittsfield School Committee and the Superintendent of Schools;
6. Exercise reasonable judgment, and therefore behave sensibly, in interacting with other employees, supervisors and administrators, students, and the public;
7. Take direction respectfully and promptly from her/his supervisor;
8. Implement her/his supervisor's directives promptly, thoroughly, and to the best of that employee's ability; and
9. Otherwise perform to the best of her/his ability all the duties associated with that employee's specific position in the Pittsfield Public Schools.

2. *Employee Ethics*

The Pittsfield School Committee has established the following Code of Ethics for employees of the Pittsfield Public Schools (*see* Policy PER-8). Each employee shall:

- Maintain just and courteous relationships with students, parents, staff members, and others.
- Maintain her/his efficiency and knowledge of developments in their fields of work.
- Transact all official business with the properly designated authorities of the school system.

- Place the welfare of children as the first concern of the school system, which will require that appointments to positions and promotions be based solely on merit. The use of pressure on school officials for appointment or promotion is unethical.
- Restrain from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- Direct any criticism of other staff members or any department of the school system toward the improvement of the school system. Such constructive criticism is to be made directly to the particular school administrator who has the administrative authority to improve the situation and then to the Superintendent, if necessary.
- Use properly and protect all school properties, equipment, and materials.

3. *Employee Work Hours*

The work hours for Pittsfield Public Schools employees are determined by collective bargaining agreements or, where applicable, by individual contracts of employment. If an employee has a question about her/his own specific work hours, either regularly or in an unusual situation, then that employee should contact her/his immediate supervisor. If the issue has to do with the interpretation of a provision of a collective bargaining agreement or a contract of employment then the individual with the question should contact the Director of Human Resources.

4. *No Overtime Without Express Prior Authorization*

A. “Overtime” (OT) Defined. “Overtime” (OT) is defined as either (a) working beyond an employee’s regular workday, so that the employee has a reasonable expectation of receiving additional compensation for the time that she/he is putting in; or, (b) pursuant to the federal Fair Labor Standards Act, working in excess of 40 hours in any seven day payroll period, so that work done is entitled to payment at 150% of the employee’s regular compensation.

B. Prohibition of Overtime Without Prior Authorization. Not all Pittsfield Public Schools employees are eligible for overtime compensation under either definition of OT. Except in an emergency as described below (*see* VI § 4.C, below) no employee of the Pittsfield Public Schools may consider her-/himself authorized to work overtime without prior administrative authorization.

C. Exception to Prohibition of OT Without Prior Authorization. Only in an emergency may an employee who would be entitled to overtime pay for additional work presume the approval of overtime in the following situation. An emergency exists when there is a plausible threat to personal safety or valuable property, and where in this situation the employee is unable to bring what is happening to the immediate attention to her/his superior, and therefore secure approval for overtime needed to deal with the situation. (Examples of an emergency include: fire; flood; an intruder in the building.) When there is an emergency the employee is authorized to remain at work to deal with the situation appropriately. In such a case the employee who is entitled to overtime shall bring the situation to her/his supervisor’s attention as soon as possible.

D. Compensatory (“Comp”) Time. Except as described in the following paragraph, no Pittsfield Public Schools employee shall be entitled to compensatory (“comp”) time. Certain collective bargaining agreements or individual contracts with non-bargaining unit employees contain provisions for receipt of “comp” time in the event that OT of the sort described at VI § 4.A.a, above, is incurred. No “comp” time may be incurred unless the

conditions set forth in the collective bargaining agreement or individual contract of employment are strictly observed. Among those conditions is the requirement that entitlement to “comp” time may be incurred only with prior authorization of the supervisor identified in the agreement or contract. No entitlement to “comp” time may be incurred, and no right to “comp” time may be claimed, under any other condition.

5. Criminal Offender Records Investigation (C.O.R.I.) Checks

Under Massachusetts law no person may be employed by, or may work as a volunteer, in any capacity with the Pittsfield Public Schools that involves unsupervised access to students while on school premises, or while participating or assisting in school-sponsored programs or activities, without satisfactorily completing a Criminal Offender Records Information (CORI) check. This requirement is implemented by School Committee Policy PER-10A. Because of the requirement imposed by state law on School Committees and Superintendents to secure CORI checks on all employees, an employee’s refusal to authorize the Superintendent to file a request for a CORI check may be deemed to be a most serious disciplinary issue, possibly resulting in termination of employment. Information that is received through a CORI check must by law be held in strictest confidence. Such information may be shared only as authorized by the individual on whom the check was done or as otherwise provided by law. See M.G.L. c. 6 §§ 167-178B. (Policy PER-10A.)

6. Employee Work Assignments

Each employee of the Pittsfield Public Schools shall receive her/his specific work assignment from her/his supervisor. If an employee is uncertain about her/his work assignment, work location, or the duties associated with her/his position or work assignment, then it is the employee’s responsibility promptly to seek clarification of the matter in question from her/his supervisor.

7. Employees Working Other than for the Pittsfield Public Schools

When a person is employed by the Pittsfield Public Schools on a regular, full-time basis, then the School Committee, pursuant to its Policy PER-58 (“Nonschool Employment by Professional Staff,” cross-referenced with Policy PER-97, “Nonschool Employment by Support Staff Members”), considers that it has given that person full-time employment. Therefore, the School Committee expects all employees to give the responsibilities of their district positions precedence over any types of outside work.

Outside work done by a staff member is of concern to the Committee insofar as it may: (1) prevent the employee from performing her/his school responsibilities in an effective manner; (2) prejudice the employee’s effectiveness in her/his position, or compromise or embarrass the school system; or (3) raise a question of a conflict of interest, e.g., when the employee’s position in the district gives her/him access to information or another advantage useful to the outside employer.

Therefore, if a Pittsfield Public Schools employee is also employed elsewhere, that employee shall ensure that: (1) she/he does not perform any duties related to an outside job during that employee’s regular working hours for the Pittsfield Public Schools, or during the additional time that the employee needs to fulfill the responsibilities of her/his school position; and (2) she/he will not use any Pittsfield Public Schools facilities, equipment, or materials in performing outside work.

8. *Posting Notices of Employee Rights*

A posting of the employment-related rights that Pittsfield Public Schools employees have under various Massachusetts and federal statutes can be found in each school or other facility of the Pittsfield Public Schools. This information is posted either in the faculty room, the main office of each school or facility, or another conspicuous place. In the event that you do not find this information posted, please promptly notify the Personnel Office, Room 111, 269 First Street, Pittsfield, MA 01201, phone (413) 499-9505, e-mail aterry@pittsfield.net.

9. *Availability of Copies of Collective Bargaining Agreements*

The Pittsfield Public Schools has seven employee bargaining units. Teachers, therapists, academic coaches, nurses, and certain other instructional staff are represented by the United Educators of Pittsfield. School psychologists, SACs, and school and program administrators, with the exception of principals, are represented by the Pittsfield Educational Administrators' Association. The Pittsfield Federation of School Employees, represents members of the following employee units through separate chapters: bus drivers and attendants; cafeteria employees; custodians; paraprofessionals; and educational secretaries. Copies of employee bargaining units' collective bargaining agreements are available from the president or chapter chairperson of each Pittsfield Public Schools union. All collective bargaining agreements are posted on the district's website (www.pittsfield.net).

10. *Indemnification of Employees*

Under M.G.L. c. 258 § 9 the City of Pittsfield obtains insurance for the purpose of indemnifying its employees from personal financial loss, and all damages and expenses, including legal fees, if any, in an amount not exceeding \$1,000,000 for certain acts they may take that are within the scope of their official duties or employment.

Indemnification may not legally extend to any action for violation of any civil right that arises under federal or state law if the employee acted in a grossly negligent, willful, or malicious manner. Moreover, indemnification may be unavailable if the public employee against whom an action is brought fails to cooperate reasonably with her/his employer in the defense of any action that is brought.

Additional information about public employees' indemnification for actions taken that are within the scope of their official duties or employment is available from the School Business Administrator.

PART VII. Work-Related Illness or Injury

1. *Seeking Medical Attention For Work-Related Injuries Or Health Problems*

A. Seeking Medical Attention Generally. An employee of the Pittsfield Public Schools who is injured in the course of her/his employment, or who seeks care for a work-related medical condition, must first seek medical attention by reporting to the Occupational Medical Services (OMS) Program. Except when an employee's condition requires immediate attention due to the fact that it is a medical emergency or occurs during off hours (*see* VII § 1.B, below), an appointment should be scheduled through the City of Pittsfield's Personnel Office (499-9340).

In reporting to OMS an employee should identify her/himself as an employee of the Pittsfield Public Schools. The location of OMS is:

Occupational Medical Services
610 North Street
Pittsfield, MA 01201
413 447-2684

B. Seeking Medical Attention in an Emergency or During Off Hours. In the event that an employee suffers a medical emergency at work, or an employee has a work-related medical problem during off-hours (e.g., weekend shift, late shift), that employee should seek care at the Emergency Room at Berkshire Medical Center's North Street facility. For the purpose of this section, a medical emergency is a situation in which the employee's condition is serious and requires immediate medical attention.

2. *Reporting Work-Related Illness or Injury*

A. Filing a Written Report of Work-Related Injury or Health Problem. A workplace injury, or an injury or health concern that an employee believes to be work-related, should be reported in writing not later than *48 hours* after the occurrence or discovery of the injury or health concern. Forms for reporting work-related injuries or health concerns are available from the secretary at the employee's work assignment. The completed form should be returned to the secretary at the employee's work assignment. *See VII § 2.B, below.*

B. Consequences of Failing to Comply with 48 Hour Reporting Requirement.

An employee who fails to comply with the 48 hour reporting requirement for a workplace injury or any injury or health concern that an employee believes to be work-related may jeopardize her/his ability to recover costs associated with seeking medical treatment for that injury or condition. In addition, an employee who fails to comply with the 48 hour reporting requirement may jeopardize her/his ability to qualify for workers' compensation benefits (see VII § 3.B, below).

3. *Workers' Compensation*

A. General Information. Workers' compensation benefits provide paid leave, after an initial period of five (5) unpaid days, to any employee who is injured on the job or who must be absent from work for medical reasons associated with her/his employment by the Pittsfield Public Schools. The employee receives a reduced rate of pay in accordance with Massachusetts law. In some cases where provided by collective bargaining agreement, an employee's rate of pay while she/he is absent with a work-related medical problem may be supplemented by available accumulated paid sick leave, so that the employee sees no reduction in her/his compensation so long as accumulated paid sick leave is available.

An employee's comprehensive health insurance coverage continues while she/he is on workers' comp, assuming that the employee has health insurance through her/his employment with the Pittsfield Public Schools, so long as that employee has available sick leave to use to supplement her/his workers' compensation benefits. After the exhaustion of the employee's paid sick leave, the employee may

continue her/his health insurance coverage as an employee of the City of Pittsfield under COBRA. (*See* IX § 10, below).

B. Forty-Eight Hour Reporting Requirement. Work-related injury or sickness claims should be made as soon as possible, but not later than 48 hours after discovery of the condition or the occurrence of the injury. (*See* VII § 2.A, above.)

C. Relation of Workers' Compensation Absences and the F.M.L.A. Time when an employee is absent on a workers' compensation-related illness or injury is chargeable to time that may be available to the employee under the Family and Medical leave Act of 1993 (FMLA) (*see* V § 2.B, above). For further information about the use of FMLA time during a workers' compensation-related absence contact the Director of Human Resources.

PART VIII. Workplace Rules

1. Workplace Conduct

Each employee of the Pittsfield Public Schools shall comport herself/himself at work in a manner that furthers the mission of the school district and the goals of the Superintendent of Schools.

Therefore, each employee should act in a manner that a reasonable person would view as appropriate to the employee's role as a model to children and young people and a public servant. This includes, but is not limited to: using appropriate language at work; working efficiently and conscientiously; addressing other staff, students, and the public respectfully; and promptly and courteously following the directions of the employee's supervisor(s) and superior(s).

Specific standards of appropriate conduct should embody the standards set forth by the Pittsfield School Committee in Policy PER-8, "Staff Ethics" and should exemplify the rules stated in VI §1, above.

2. Respect for the Public

Each employee of the Pittsfield Public Schools is a public employee, which means that her/his benefits and compensation are provided by the citizens of the community through the school system and the City of Pittsfield, and by other sources of public funding. Moreover, each person working for the Pittsfield Public Schools is employed solely in order to enable the school system to pursue the mission of the Pittsfield Public Schools.

Therefore, each employee shall act at all times in a manner that shows due respect for the public. Each employee shall act at all times in a manner that enables members of the public, including parents, guardians, and interested citizens, to receive pertinent information which they are entitled to, as well as necessary assistance in dealing with the various offices and departments of the Pittsfield Public Schools

3. Respect for Fellow Employees

As required by School Committee Policy PER-8, each employee of the Pittsfield Public Schools shall act at all times in a manner that shows respect for the dignity and personal worth of each fellow employee.

4. Respect for Students

Each person working for the Pittsfield Public Schools is employed solely in order to enable the school system to pursue the mission set forth in I § 1, above. That mission centers on the effective provision of educational services to students.

Every person employed by the Pittsfield Public Schools is a role model for the district's students. Therefore, every school system employee is to show proper respect to students as individuals and as impressionable children or young people in all of her/his interactions with students.

5. Confidentiality of Information Learned Through Employment

Each employee of the Pittsfield Public Schools receives information as part of her/his position that is confidential. Information on students, on other employees, on members of the public, including parents and guardians, and on school-related matters is part of the school system work environment. The security and confidentiality of such information is protected by a variety of federal and state laws and by Pittsfield School Committee policy.

Parents and guardians have the right to inspect and receive copies of their children's records, but there are established procedures for their receiving this information (*see* 20 U.S.C. 1232f; *see also* M.G.L. c. 71 § 34D; *and see* 603 C.M.R. 23.07). The public has the right of access to the public records of the Pittsfield Public Schools under the Massachusetts freedom of information law (M.G.L. c. 66 § 10). Courts acting within the scope of their authority may order the release or disclosure of public and even personal information. But employees may not act on their own initiative to violate any person's confidentiality or to disclose student or employee information or public records or information of any sort that they are not authorized to disclose.

Therefore, it is strictly prohibited for any employee to discuss, release, or disclose any such information to any individual, organization, or agency without the express prior approval of that employee's supervisor. Any employee who makes an unauthorized disclosure of confidential or protected information may be subject to discipline, up to and including termination. If an employee is deemed to have acted outside the scope of her/his authority in releasing information without due authorization, that employee may not be covered by the indemnification provisions of Massachusetts law (*see* M.G.L. c. 258;) and may be personally liable to any party who is aggrieved by that release or disclosure.

6. Weapons and Dangerous Devices Prohibited

It is strictly prohibited for a Pittsfield Public Schools employee to possess or use any weapon, including but not restricted to a gun, knife, blade, or club, in a school building, on school grounds, or at any school-sponsored activity. It also is strictly prohibited for a Pittsfield Public Schools employee to possess or use any other dangerous implement, such as an explosive or incendiary device, or any implement or object not ordinarily in the possession of a school employee, that can reasonably be foreseen to have a use in harming another person, in any school building, or on school grounds.

7. Smoking and Other Tobacco Use Prohibited

Smoking or other use of tobacco or tobacco products in a school building or on school grounds is a violation of Massachusetts Law (M.G.L. c. 71 § 37H) and School Committee policy (Policy ER-20, "No Smoking Policy for the Pittsfield Public School System for Students, Employees, and Visitors"), and is strictly prohibited. An employee's violation of this prohibition may result in disciplinary action, up to and including termination.

8. *Workplace Apparel*

Each person employed by the Pittsfield Public Schools has been hired to further the education of the children and young people of Pittsfield in conformity with the mission of the Pittsfield Public Schools. School employees do their work properly either by providing direct services to students or by performing tasks or functions that support direct instruction and related programs.

Each person employed by the Pittsfield Public Schools works in a public school setting. Consequently, even if an employee's direct contact with students is infrequent and incidental, that person serves as a role model for the children and young people who attend Pittsfield's public schools. Moreover, every school system employee represents the Pittsfield Public Schools to the public.

In light of these facts, each Pittsfield Public Schools employee should dress for her/his work assignment in a manner that properly acknowledges that person's serving as a role model for children and young people and as a public employee working at the public's business. Although the Pittsfield Public Schools currently has no formally adopted dress code for its personnel, employee apparel should nonetheless reflect the individual's role as a model to children and young people and as a representative to the public.

Employee apparel should in all cases be consistent with the safety requirements of the employee's position.

9. *Computer, E-Mail, and Internet Use*

Every employee who has access to a Pittsfield Public Schools computer or computer terminal, with or without internet or e-mail access, is provided with that equipment in order to perform her/his Pittsfield Public Schools duties and functions more effectively. Use of a computer at work is not an employee's right. The computer is a tool provided by the school system solely to facilitate the employee's delivery of a public service.

According to School Committee policy (Policy PER-20, "Acceptable Use"; PER-61A, "Internet/Intranet Publishing Guidelines"), except for conducting the business of the Pittsfield Public Schools, no use of a school district computer, of school district software, of the Pittsfield Public Schools' e-mail system, or of internet access through the school district's equipment is permitted.

In addition, no employee may access a pornographic or otherwise inappropriate website, use the district's e-mail for purposes other than the conduct of Pittsfield Public Schools business, or otherwise utilize the district's hardware or software in a manner not expressly authorized by the School Committee.

Violation of any of these prohibitions may lead to the employee's loss of her/his computer privileges, and may also result in disciplinary action, up to and including termination. Furthermore, where a criminal violation is deemed likely to have occurred the matter will be referred to appropriate law enforcement authorities.

[Disclaimer Regarding Use of Pittsfield Public Schools Hardware, Software, or Network](#)

The Pittsfield Public Schools makes no express or implied warranties for the computer, network, or Internet access it provides. The Pittsfield Public Schools cannot completely eliminate access to information that is offensive or illegal and resides on networks outside the Pittsfield Public Schools' system. The accuracy or quality of information obtained cannot be guaranteed. The Pittsfield Public Schools will not guarantee the availability of access to individual computers, the district network, or the Internet, and will not be responsible for any information that may be lost, damaged, or unavailable due to technical or other difficulties.

10. Drug-Free Workplace

A. Drug-Free Workplace. By School Committee policy (Policy PER-11, "Drug-Free Workplace") the Pittsfield Public Schools is a drug-free workplace. Therefore, it is strictly prohibited for any Pittsfield Public Schools employee to possess or use any illegal drug or any unauthorized controlled substance on school grounds or at any school system activity, program, or function.

B. Disciplinary Action and Law Enforcement Involvement. An employee who violates the prohibition of possession or use of illegal drugs or unauthorized controlled substances may be subject to disciplinary action, up to and including termination. Illegal drug possession or drug use by an employee may also be reported to appropriate law enforcement authorities.

11. Inappropriate Use of Inter-Office Mail Prohibited

The Pittsfield Public Schools' interoffice mail service is intended to further the educational and ancillary support activities of the school system. Use of the interoffice mail is restricted to activities and materials appropriate to the furtherance of those purposes.

Therefore, except where expressly provided by collective bargaining agreement or where expressly permitted by the Superintendent of Schools or her/his designee, no employee may use the interoffice mail system for personal or other non-business purposes. Specifically, it shall be prohibited for an employee to use interoffice mail, or to facilitate its use, for: business solicitations; political advertisements, notices, or flyers; commercial advertising; chain letters; sexually explicit or otherwise vulgar or offensive material; the conduct of gambling or wagering of any sort; or any other matter that does not pertain to the mission of the Pittsfield Public Schools. The foregoing list is not intended to be exhaustive.

An employee's failure to comply with this prohibition may result in disciplinary action, up to and including termination.

12. Political Activities by Employees

The School Committee recognizes that public employees have the right to free speech, freedom of assembly, and all other rights guaranteed by the First Amendment of the United States Constitution. The Committee encourages them to exercise those rights in a time, place, and manner that is appropriate (*see* Policy PER-16, "Staff Participation in Political Activities").

A Pittsfield Public Schools employee's use of her/his work time, work area, or work materials or equipment to promote a political candidate, party, or cause, is not appropriate. Neither is it an

appropriate use of a school employee's work time, work area, or work materials to attempt to influence students in support of a political candidate, party, or cause.

It is not prohibited to discuss political candidates, parties, or causes in an appropriate manner, depending on the age and understanding of students, as a part of a program of study in social studies, or in another pertinent curricular area.

13. Violation of Copyright Law Prohibited

Except as may be permitted under United States law, the Pittsfield Public Schools strictly prohibits the use of its facilities, equipment, or the work time of persons whom the school system employs for copying or reproduction of documents, including published books and pamphlets, computer software, compact discs, tapes, or any other materials or items that have been duly copyrighted in accordance with United States law and international treaty.

Failure to observe this prohibition may result in disciplinary action, up to and including termination. Violation of copyright law may also subject the violator to criminal or civil penalties.

Questions regarding compliance with copyright law may be referred to the Director of Human Resources.

14. Acceptance of Gifts from Students by Employees

Children and parents sometimes want to give gifts to a teacher, principal, or other staff member as a token of gratitude or appreciation for the work the staff member is doing. Nevertheless, acceptance of gifts under these circumstances may give the appearance to some of favoritism of one student or one group of students over another. Moreover, the acceptance of gifts may make gift-giving to staff members appear to be a routine feature of school life, thereby placing those with fewer financial resources at a real or perceived disadvantage. School Committee policy (*see* PER-18, "Staff Solicitation and Gifts") discourages parents from providing staff members with other than token gifts. Employees are expected to conduct themselves in a manner that supports the School Committee's policy.

15. Application for Grants

No employee may apply for a grant in the name of the City of Pittsfield, the Pittsfield School Committee, the Pittsfield Public Schools, or any school, program, or activity of the Pittsfield Public Schools unless, the Deputy Superintendent has been provided with the grant application or proposal at least 10 working days before it is submitted to the grantor. The Deputy Superintendent must approve and sign the application before it may be sent to the grantor. The address of the Deputy Superintendent is:

Deputy Superintendent Pittsfield Public Schools Administration Center, Room 104
269 First Street
Pittsfield, MA 01201
Phone: (413) 499-9512

If an employee receives notice that a grant has been awarded based on an application in the name of the City of Pittsfield, the Pittsfield School Committee, the Pittsfield Public Schools or any school, program, or activity of the Pittsfield Public Schools then the employee must immediately notify the Deputy Superintendent of this award. All funds received through any grant so applied for must be immediately forwarded to the Assistant Superintendent for Business & Finance of the Pittsfield Public Schools (*see* IV § 5, above).

16. Attendance at In-Service and Professional Development Programs and Activities

Unless expressly excused or directed by her/his supervisor, or unless absent from work for an recognized and excusable reason, every Pittsfield Public Schools employee is to attend and participate in scheduled in-service training and professional development programming that is held for staff during regular work hours.

17. Employee's Legal Role in Child Custody and Domestic Disputes

A. Voluntary Appearance Prohibited. The Pittsfield Public Schools exists to educate the children of the community. Its educational role does not include taking sides in litigation or disputes that are not related to the school district's mission (*see* I § 1, above) and the realization of the Superintendent's goals (*see* I § 2, above). Therefore, no employee may volunteer to appear in a court proceeding on behalf of one party or against another in a dispute involving custody of child who is a student in the Pittsfield Public Schools, or in any domestic issue related to a Pittsfield Public Schools' student.

Any appearance by an employee at a deposition or as a witness in a court of law, where the employee's presence is due to her/his being a school system employee, particularly an employee who has specific knowledge of a student's circumstances, must be only in response to a duly issued subpoena. No employee may voluntarily appear in such a matter as a representative of the Pittsfield Public Schools, or as a person in possession of information as a direct result of her/his school employment.

Specific issues regarding appearance in court in relation to an employee's position in the Pittsfield Public Schools should be referred to the Director of Human Resources (*see* IV § 1.A, above).

B. Provision of Information to Attorneys or Other Third Parties. Although parents have the right, with certain exceptions, to have access to their child's student records and other information (see 603 C.M.R. 23.00; see also M.G.L. c. 71 §§ 34E, 34H), a person who identified her/himself as an attorney representing a parent or guardian and who requests or demands access to student information is not entitled to receive it. An attorney has the right of access to a student's records or information only if (1) the attorney has written authorization for such access by a parent who her/himself has the right of such access, or (2) the attorney has the written authorization of a court of competent jurisdiction to get access to student records or other information.

Specific issues regarding provision of student records to parties other than parents or guardians should be referred to the Deputy Superintendent

PART IX. Employee Benefits

1. *Health Insurance*

A. Who Is Eligible? Health insurance coverage is available through the City of Pittsfield to each employee of the Pittsfield Public Schools who holds a regular position that is at least .5 FTE.

B. Questions: Questions about health insurance coverage and eligibility should be addressed to Pam Delmolino, Benefits Clerk (499-9506).

C. Waiver of Benefits: If an employee of the Pittsfield Public Schools chooses not to enroll in a health insurance plan, she/he must sign a waiver form indicating what type of insurance they do have.

2. *Dental Insurance*

Dental insurance coverage is available to employees of the Pittsfield Public Schools on a similar basis to the availability of health insurance coverage. Questions about dental insurance coverage and eligibility should be addressed to Pam Delmolino, Benefits Clerk (499-9506).

3. *Group Life Insurance*

Group life insurance coverage is available to employees of the Pittsfield Public Schools at the time of hire and not again. Questions about group life insurance coverage and eligibility should be addressed to Pam Delmolino, Benefits Clerk (499-9506).

4. *Optional Whole Life Insurance*

Optional whole life insurance is available to employees of the Pittsfield Public Schools. Enrollment opportunities are announced through the City of Pittsfield.

5. *Open Enrollment Period for Benefits*

A. Periods for Enrolling. Enrollment in the City's health and dental insurance coverage may occur *only* as follows: (1) at the time an individual is first employed by the Pittsfield Public Schools; then (2) during the annual open enrollment period for all employees in the spring and effective July 1; unless, (3) in the case of an employee who was previously covered by another person's health insurance, and who had therefore declined coverage, the employee loses her/his coverage (*see* IX § 5.C, below).

B. Change in Coverage. The open period for employees to acquire health insurance or other benefits, or to change benefit coverage, occurs in May. Each year the practice has been for a written notice to be sent from the Office of the Mayor, the City Treasurer, the Business Office, or the Director of Human Resources informing current employees of the rates of coverage and the procedure for acquiring or altering a benefit plan.

C. Thirty (30)-Day Open Window if Other Coverage is Lost. If an employee who was previously covered by another person's health insurance, and who had therefore declined Pittsfield coverage, loses her/his coverage then the employee may acquire municipal health insurance coverage, but only so long

as that employee provides suitable written documentation of having lost her/his coverage not later than 30 days after losing the coverage.

D. **Questions.** Questions about the open enrollment period for benefits should be addressed to Pam Delmolino, Benefits Clerk, (413-499-9506).

6. *Addition of Dependent or Spouse or Other Changes in Insurance Coverage*

Changes in an employee's health insurance coverage are made through the Benefits Office at the Mercer Administration Center. *Time is of the essence in making such changes.* For example, if an employee needs to add a dependent to her/his insurance because of birth or adoption, or marries and needs health insurance coverage for her/his new spouse, or loses her/his coverage on another person's insurance and needs to enroll in the City's health insurance coverage, this must be done immediately. These are considered "qualifying events" by the City, and such changes must be made *within 30 days of the occurrence of the qualifying event.* Documentation (birth certificate, certificate of adoption, marriage certificate, separation or divorce decree, notice from spouse's employer of loss of health coverage, etc.) is needed to make changes in benefits coverage.

7. *Tax-Deferred Annuities (403[b] Plans)*

Tax-deferred annuity contributions, consistent with what is permitted by federal and state law, can be made by employees of the Pittsfield Public Schools pursuant to M.G.L. c. 71 § 37B to any provider that has executed an agreement with the City of Pittsfield. Questions about tax-deferred annuities should be addressed to the Assistant Business Manager, Room 109, 269 First St., Pittsfield, MA 01201, Phone 413-499-9502, Fax 413-443-1415 .

8. *Pre-Tax Flexible Spending ("Cafeteria") Accounts*

Pre-tax contributions may be made by Pittsfield Public Schools employees, consistent with 26 U.S.C. § 125, to flexible spending "cafeteria plan" accounts. The purpose of these accounts is to enable employees to pay out-of-pocket expenses associated with medical care, dental work, child-care costs, and any other expenses permitted under law with pre-tax dollars. Questions about pre-tax flexible spending accounts should be addressed to the Benefits Office, First Floor, 269 First St., Pittsfield, MA 01201 413-499-9506.

9. *Unemployment Benefits*

Employees of the Pittsfield Public Schools who lose their employment through termination for reasons other than dismissal for cause, or under certain other circumstances set forth in law, may be entitled to unemployment insurance benefits under the terms and provisions of M.G.L. c.151A. A copy of the information that Massachusetts employers are required to provide to all employees who may be eligible for unemployment benefits appears as an appendix to this *Handbook* (see Appendix No. 14, below).

Information about an employee's entitlement to unemployment benefits, the application procedure for claiming benefits, or answers to specific questions about unemployment benefits can be obtained from the Massachusetts Division of Employment and Training (DET). The Pittsfield DET office dealing with unemployment insurance claims is located at Berkshire Works, 160 North St., Pittsfield, MA 01201. The telephone number is (413) 499-2220.

10. C.O.B.R.A. Rights

Under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA: 29 U.S.C. § 1161), an individual who has health insurance coverage on the date that a “qualifying event” occurs may continue her/his health insurance coverage for at least 18 months by paying both the employee’s and employer’s share of the cost of the health benefit. Benefits must cease upon the individual’s failure to make timely payment of the amount owed for coverage under COBRA.

“Qualifying events” enumerated by COBRA include: termination of an employee for other than gross misconduct; a reduction in hours leading to loss of health insurance coverage; and the divorce or legal separation of the employee’s spouse from the covered employee. This list is not exhaustive.

When an employee leaves the district, s/he will be notified of his/her rights under COBRA by the GIC.

11. Employee Retirement Contributions

All employees of the Pittsfield Public schools are required by law to contribute a portion of their wages to an appropriate retirement system or fund. (1) An employee whose position requires that she/he be certified by the Massachusetts Department of Elementary & Secondary Education, and who holds that certificate, is obliged to be a member of the Massachusetts Teachers Retirement System. (2) An employee whose position is governed by civil service law or is otherwise regularly employed in a non-certified position with the school system is obliged to be a member of the Pittsfield Retirement System. (3) Any other employee, including a non-certified teacher, is obliged to contribute to a state-wide tax-deferred annuity fund.

Questions about retirement contributions and benefits should be addressed to the Director of Human Resources (*see* IV § 1.A, above) or to the appropriate retirement system. The retirement systems to which Pittsfield employees contribute are the following:

Massachusetts Teachers
Retirement System

69 Canal Street
Boston, MA 02114

Phone: (617) 727-3661

W. Mass: (413) 784-1711

Pittsfield Retirement System

City Hall, Room 109

70 Allen Street

Pittsfield, MA 01201

Phone: (413) 499-9468

12. Estimates of Accumulated Leave for Severance Pay

Some Pittsfield Public Schools employees’ collective bargaining agreements contain provisions for severance pay. This benefit is payable to eligible employees, according to the specific terms of the contract, based on an eligible employee’s accumulation of unused sick leave, or personal leave, or both.

Many employees want to know in advance of their retirement how many sick leave or personal leave days they have accumulated so that they can estimate the severance payments they will receive. Because of the volume of work in the Personnel and Payroll Departments it is not feasible to provide employees with estimates in advance of their actual retirement. Employees are welcome to make an appointment with staff in the Personnel Office to examine their own attendance files and make their own estimates of severance pay based on the documentation found there.

No employee should rely on information that has been provided to her/him in prior years by the Administration Center, the Personnel Office, or the building secretary as being necessarily an accurate or definitive statement of that individual's accumulated sick leave or personal leave. Any employee interested in determining her/his accumulated unused sick leave or personal leave should make that estimate her-/himself, based on a careful examination of the employee's attendance file.

PART X. Safety Issues

1. Workplace Safety

The safety of students, staff, and the public is the foremost concern of the Pittsfield Public Schools. Employees should take all steps necessary to acquaint themselves with appropriate safety rules and procedures where they work, and to follow those procedures as required. In the absence of stated safety procedures, each employee should exercise reasonable care and concern for her/his safety and the safety of others in the conduct of her/his employment by the Pittsfield Public Schools.

Every employee should promptly report any physical, social, or other situation to her/his supervisor when the employee believes that the situation may pose a risk to the safety of staff members, students, or the public.

2. Employee Identification

In order to improve assurance of the safety of students, staff, and the public, Pittsfield Public Schools employees may be required to wear an identification card or badge, or to produce such identification on demand. Any such card or badge issued to a Pittsfield Public Schools employee should be carried on the employee's person at any time she/he is in school or working in a school-sponsored function or activity, whether on or off school property.

Employee identification badges or cards are the property of the Pittsfield Public Schools. It is strictly prohibited for any person issued an I.D. card or badge by the Pittsfield Public Schools to loan that identification to any other person for any reason. It is also strictly prohibited for any employee of the Pittsfield Public Schools to reproduce a school system I.D. card or badge by any means or for any purpose unless such reproduction is expressly authorized in advance by the Superintendent of schools or her/his designee.

3. School and Workplace Emergency Procedures

Emergency response plans exist for each Pittsfield Public Schools facility, including schools and offices. These plans are intended to facilitate the district's dealing effectively and immediately when there is a natural or other emergency, including a school's having an intruder, a bomb threat, or comparable man-made risk, whenever the situation poses a serious threat to the safety of students, staff, school visitors, or school property.

Each employee is expected to familiarize her/himself with the emergency procedures in place for where she/he works, so that the employee's personal safety, as well as the safety of students and co-workers, can be better ensured. Information on the specific emergency procedures in place

for your school or workplace is available from the school's principal or your worksite supervisor.

4. Mandated Reporting of Suspected Child Abuse or Neglect

Under Massachusetts law (M.G.L. c. 119 § 51A) certain individuals, including those employed in a public school "to care for or work with a child," are deemed "mandated reporters."

Mandated reporters are required under penalty of law to report orally and in writing to the Commonwealth's Department of Social Services (D.S.S.) any instance of what the school employee, in her/his professional judgment, believes to be an instance of child abuse, including sexual abuse, or neglect. A fine of not more than \$1,000 may be imposed by the Commonwealth on a mandated reporter who fails to make the necessary report to D.S.S.

Under § 51A a school employee who believes that a child is abused or neglected can satisfy her/his legal obligation to make a D.S.S. report by reporting the concern at once to the person in charge of the school where the employee works. Therefore, any Pittsfield Public Schools employee who believes that a student in one of the district's schools or programs is or may be the victim of abuse or neglect should immediately report that concern to the principal or program supervisor under whose direction that employee works.

The telephone number to call when reporting suspected child abuse and neglect

1 – 800 – 292-5022

5. Reporting Suspicious Persons, Activities, or Objects

Any Pittsfield Public Schools employee who observes a suspicious person or group of persons on or near school premises or a school-sponsored activity should immediately notify the employee's supervisor, and should provide as much specific information about what was observed as possible. A "suspicious person" is someone who either is known or is not known to the school employee, and whose mere physical presence at or near a school premises or school-sponsored activity, whose conduct or demeanor, or whose reputation or record gives rise to the employee's suspicion that the person observed may do harm to students, staff, the public, or school property.

Activities by suspicious persons, or activities by any person or group of persons that raises an employee's suspicion because the activity appears likely to cause harm or injury to students, staff, the public, or school property should similarly be reported.

A Pittsfield Public Schools employee who finds a suspicious object in or near a school or school-sponsored activity should immediately notify her/his supervisor, and should provide as much specific information about what was observed as possible. A "suspicious object" is any box, carton, bag, other container, implement, or any other object that is out of place in the school or at the school-sponsored activity, and that might be associated with injury to staff, students, or the public, or with damage to school property.

6. Use of Universal Precautions

Universal precautions should be used by any Pittsfield Public Schools employee who comes in contact with another person's bodily fluids, including blood, mucous, menstrual flow, or feces.

“Universal precautions” are the employment of procedures, including the use of latex or comparable gloves and disinfectants, meant to limit or eliminate the risk of contagion from pathogens borne in the human body.

Specific information about the availability or location of equipment and supplies needed to follow universal precautions can be obtained from the building principal, the employee’s supervisor, or the school nurse. Specific questions about the procedures to follow when using universal precautions can be answered by the school nurse.

7. *Bloodborne Pathogens and Hepatitis B Vaccination*

Pittsfield Public schools employees whose positions expose them routinely to human blood or bodily fluids (*see* X § 6, above) may be at risk of exposure to bloodborne pathogens, including hepatitis B virus. Those who fall into this category have the right to be vaccinated with hepatitis B vaccine at no charge.

In the event that an exposure incident occurs, in addition to adhering to the universal precautions described in X § 6, above, including immediately washing the affected area with warm water and soap, an incident report should be filed and the procedures described in VII §§ 1 and 2, above, should be followed in order to secure immediate medical attention.

Questions concerning an employees rights when a possible exposure to bloodborne pathogens occurs should be directed to the Director of Human Resources (*see* IV § 1.A.)

8. *Hazardous Materials*

From time to time some Pittsfield Public Schools employees may handle materials that are hazardous. A material is considered a “health hazard” if it can cause illness or injury. A material is considered a “physical hazard” if it ignites and easily burns, has a potential to explode, or could cause a violent chemical reaction.

All containers in the workplace must be labeled with information about what they are and how dangerous they are to human beings. The label must contain (a) the name of the chemical, (b) the hazards of the chemical, and (c) the name and address of the manufacturer. Container labels may also contain other information, such as emergency telephone numbers, hazard symbols, first aid instructions, and other useful information.

Material data safety (MDS) sheets must be available in every work location. Information that is required on an MDS includes: (a) manufacturer information; (b) hazardous ingredients, by chemical name, percentage by weight or volume, and exposure limits; (c) physical characteristics; (d) potential for fire or explosion; (e) reactivity information, including product stability & materials to avoid in mixing the material, when there is spillage, or when the material is stored; (f) health and physical hazard information; (g) spill, disposal, handling, and storage information; and (h) personal protective equipment, which covers mandatory protective equipment along with the engineering controls needed to assure safe working conditions.

Workplace safety – specifically, the safety of staff, students, and the community – is of paramount concern to the School Committee, the Superintendent of Schools, and all school system personnel. If an employee becomes aware of any violation of any workplace safety issue regarding hazardous materials, or if an employee believes that any of her/his rights under the Massachusetts Right-to-Know law (M.G.L. c. 11F § 15; 105 CM.R. 670.00), then she/he should immediately contact the Assistant Superintendent for CVTE.

9. Personal Use of Pesticides by Employees Prohibited

The use of pesticides on school property is strictly controlled by law (see M.G.L. c. 132B). The Pittsfield Public Schools has adopted a pest management plan for controlling pests on school district premises. The plan is available in the office of every Pittsfield public school.

Unless authorized under the Pittsfield Public Schools' pest management plan, possession of pesticidal materials in any form and from any source, and the use of pesticidal materials by any staff member, is strictly prohibited.

Because possession and use of unauthorized pesticidal materials on school property is strictly prohibited, harm that is suffered by any party as a result of unauthorized use of chemical pesticides or other pest control products may create *personal liability for the user/staff member* in case of suit by an injured party.

Pest problems any employee may encounter at work should be reported immediately to the school's principal or program director.

PART XI. Interaction With Students, & Student Rights

1. Respect for Students

Each person working for the Pittsfield Public Schools is employed solely in order to enable the school system to pursue the mission set forth in I § 1, above. That mission centers on the effective provision of educational services to students.

Every person employed by the Pittsfield Public Schools is a role model for the district's students. Therefore, every school system employee is to show proper respect to students as individuals and as impressionable children or young people in all of her/his interactions with students.

2. [Systems for Student Success District Handbook](#)

3. [PBIS District and School Action Planning Manual](#)

4. [Anti-Bullying Protocols and Procedures](#)

BULLYING

The Pittsfield Public Schools developed and adopted an Anti-Bullying policy (STU-80 R-4/13/16) that is embedded in district-wide approaches to promoting a positive, pro-social culture for all students and

staff, such as the district's School-wide Positive Behavior Support initiative, the Olweus Anti-Bullying Program, and the implementation of school violence prevention curricula, Second Step and Steps to Respect.

Bullying Prohibited

Bullying, including cyberbullying, and retaliation are not acceptable conduct and are prohibited within the Pittsfield Public Schools. Pittsfield Public School leadership and other staff will endeavor to maintain learning and working environments free of bullying. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information is prohibited. Any student who engages in conduct that constitutes bullying or retaliation shall be subject to a range of disciplinary consequences up to and including suspension or expulsion.

This prohibition is in effect in the following locations:

- In the school building and on school grounds
- On property immediately adjacent to school grounds
- At a bus stop, on the school bus, or in other school-sanctioned transportation such as another vehicle owned, leased, or used by the school district
- At a school-sponsored or school-related activity, function, or program whether it takes place on or off school grounds
- Through the use of technology or an electronic device that is owned, leased, or used by the school district or school
- At any program or location that is not school-related, or through the use of personal technology or electronic device, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school

Definitions of Key Terms

Bullying: The repeated use by one or more students or a member of a school staff of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that causes physical or emotional harm to the target or damage to the target's property; places the target in reasonable fear of harm to himself/herself or of damage to his/her property; creates a hostile environment at school for the target, infringes on the rights of the target at school; or materially and substantially disrupts the education process or the orderly operation of a school. Bullying includes cyber-bullying. (Definition based on M.G.L. c.71, 370 as amended by section 74 of Chapter 38 of the acts of 2013)

Cyberbullying: Bullying through the use of technology or any electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. (Definition based on M.G.L. c.71, 370)

Aggressor: A student or a member of a school staff who engages in bullying, cyberbullying, or retaliation.

Target: A student against whom bullying, cyberbullying, or retaliation is directed.

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

Hostile Environment: A situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

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

Reporting by Students, Parents or Guardians, and Others

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor **solely** on the basis of an anonymous report. Anonymous reports can be made by email to bullying@pittsfield.net or through a link in the "Family and Community" portion of the district website. Reports filed in this fashion will go to a dedicated email account that will be regularly reviewed. Students, parents or guardians, and others may request assistance from a staff member to complete a written report or may report orally. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member or with the principal or designee. A student who knowingly makes a false allegation of bullying or retaliation shall also be subject to disciplinary action.

Notification of Bullying Requirements

Notice to Parents or Guardians

Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this determination and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Notice to Another School or District

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

Notice to Law Enforcement

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

In making this determination, the principal will, consistent with the district's Anti-Bullying Policy and state and federal policies and procedures, consult with the school resource officer, if any, and other individuals and organizations such as the Pittsfield Police Department and the District Attorney's Office, as the principal or designee deems appropriate."

Responses to Bullying

Teaching Appropriate Behavior Through Skills-building

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

- Offering individualized skill-building sessions
- Providing relevant educational activities for individual students or groups of students in consultation with guidance and/or school adjustment counselors and other appropriate school personnel
- Implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals
- Meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home
- Developing individual behavioral plans to include a focus on specific social skill development
- Making a referral for counseling or other mental health services for targets, aggressors, and family members.

Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the District's and School's code of conduct.

Discipline procedures for students with disabilities are governed by the federal “Individuals with Disabilities Education Improvement Act” (IDEA) and state laws regarding student discipline.

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

Promoting Safety for the Target and Others

Any school staff member who witnesses possible bullying should immediately intervene and stop the possible bullying at that moment, as well as subsequently report suspected bullying behavior to the principal or designee when further investigation is warranted.

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well.

Supportive services will be offered to the target. These services may include safety planning, school adjustment counselor services, and a mental health referral.

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

The full text of the Pittsfield Public Schools Anti-Bullying Policy is available at www.pittsfield.net. Questions regarding the district plan for the prevention of bullying can be directed to Ann Marie Carpenter at 413-499-9515 or acarpenter@pittsfield.net.

Problem Resolution

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education’s problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

District students and/or parents of students may contact the Superintendent or designee as a result of a concern about resolution of a finding at the individual building level at 413-499-9512.

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700.

3. Mandated Reporter Requirements

Under Massachusetts law (M.G.L. c. 119 § 51A) certain individuals, including those employed in a public school “to care for or work with a child,” are deemed “mandated reporters.”

Mandated reporters are required under penalty of law to report orally and in writing to the Commonwealth’s Department of Social Services (D.S.S.) any instance of what the school employee, in her/his professional judgment, believes to be an instance of child abuse, including sexual abuse, or neglect. A fine of not more than \$1,000 may be imposed by the Commonwealth on a mandated reporter who fails to make the necessary report to D.S.S.

Under § 51A a school employee who believes that a child is abused or neglected can satisfy her/his legal obligation to make a D.S.S. report by reporting the concern at once to the person in charge of the school where the employee works. Therefore, any Pittsfield Public Schools employee who believes that a student in one of the district’s schools or programs is or may be the victim of abuse or neglect should immediately report that concern to the principal or program supervisor under whose direction that employee works.

The telephone number to call when reporting suspected child abuse and neglect

1 – 800 – 292-5022

4. Corporal Punishment Prohibited

Corporal punishment in a public school is prohibited by law in the Commonwealth of Massachusetts (M.G.L. c. 71 § 37G) as well as by Pittsfield School Committee policy (Policy STU-46). This prohibition applies to all Pittsfield Public Schools employees. Corporal punishment is the use of physical force to punish a student. The use of corporal punishment is a serious matter. An employee who violates the prohibition of the use of corporal punishment maybe subject to disciplinary action, up to and including termination. Depending on the circumstances, a report of the use of physical force may also be filed by school personnel with the Massachusetts Department of Social Services under the mandated reporter requirements imposed on school and other personnel (see M.G.L. c. 51A). In addition, where a criminal violation is deemed likely to have occurred, the matter will be referred to appropriate law enforcement authorities.

Although the use of corporal punishment is prohibited by law, it is legally permitted to use such reasonable force as is necessary to protect pupils, other persons, and the staff member him-/herself from an assault by a pupil.

5. Physical Restraints of Students

The physical restraint of students is governed by Massachusetts law (M.G.L. c. 71 § 37G[c] and regulations of the Massachusetts Board of Education (603 C.M.R. 46.00), as well as by Pittsfield School Committee policy (Policy STU-46A). Restraint of students by application of physical force should be a last resort for any staff member. Physical restraint shall be used only when needed to protect a student or students, or a member or members of the school community, or both, from immediate and serious physical harm. When it is determined that physical restraint of a student is required all reasonable steps will be taken to prevent or minimize any harm to the student whom it is determined should be restrained. *See* Appendices Nos. 11 and 12, below.

Except where it is necessary to use reasonable force to protect pupils, other persons, and the staff member him/herself from an assault by a pupil, and no person who has received physical restraint training is available, the physical restraint of a student will be the responsibility of, and shall be limited to, persons who have received such training.

The use of chemical restraint (administration of medication), mechanical restraint (use of a physical device to restrict the movement of a student), or seclusion restraint (physical confinement alone in a room or a limited space without access to school staff) is strictly prohibited.

Physical restraint as a form of punishment is a violation of Massachusetts law and is strictly prohibited (M.G.L. c. 71 § 37G[a]; *see also* XI.3, above).

Information about persons in your school who are trained to administer physical restraint to students is available from the building principal. The Pittsfield Public Schools offers training to staff members in the appropriate use of physical restraint, as well as in non-physical means for managing student behavior problems.

5. Reporting Physical Restraints of Students

The school nurse should immediately examine every student who has been physically restrained. A written report must be filed with the Deputy Superintendent by any staff member who physically restrains a student for more than five minutes, or whose restraint of a student results in an injury to a student or staff member. A copy of the restraint report form may be found in Appendix No. 12, below.

6. Assault of Staff Member by a Student

Any staff member who is assaulted by a student should promptly report the assault to the building principal, and also to the office of the Superintendent of Schools.

7. Reporting Incidents of Sexual or Other Harassment of Students

Federal and state laws prohibit the harassment of students in an educational setting, either by staff members or other adults or by other students. Students are protected from harassment because of their race, color, sex, religion, national origin, sexual orientation (M.G.L. c. 76 § 5) or handicapping condition (20 U.S.C. § 794; *see also* Policy STU-3, “Equal Educational Opportunities”).

Harassment can occur in school, at school-sponsored activities away from school, or on a school-operated vehicle being used to transport students.

An employee who witnesses a student being harassed, or who otherwise believes that one or more students are being or have been harassed, should immediately report what she/he has witnessed or believes has occurred. The report should be made either to the building principal or to the Director of Human Resources (*see* III § 9, above).

8. Transporting Students in Private Vehicles

Except with the express prior consent of the Director of Bus Operations, no Pittsfield Public Schools employee, when acting in her/his capacity as an employee, may transport a student in the employee’s

own vehicle to or from a school-sponsored activity. This prohibition does not apply to a Pittsfield Public Schools employee who is a parent transporting her/his own child.

9. No Recommendation of Medication for Students

Instructional staff may believe that a student whom they deal with has a medical condition (e.g., attention deficit hyperactivity disorder [ADHD]) that requires medical treatment, including the prescription of medication, so that the student can participate in instructional and other activities. It is appropriate for a principal or teacher to bring a student's school-related problems to the attention of the child's parent or guardian, and to suggest that the child's caregiver have the child evaluated medically. But school personnel are not medically trained diagnosticians. They should therefore refrain from venturing medical opinions or judgments about a student to the student's parent, guardian, or any other party.

PART XII. Use And Care Of School District Property

1. Unauthorized Use of School District Property Prohibited

All property that is owned by, leased by, or otherwise in the possession of the Pittsfield Public Schools is public property and is not to be used for private purposes. No employee may use any building, grounds, vehicle, item, good, article, piece of equipment, or other property of the Pittsfield Public Schools except for the purposes for which that property was acquired. Use of Pittsfield Public Schools property by an employee for any other purpose without prior authorization of the Superintendent of Schools or her/his designee is strictly prohibited. Any such unauthorized use of school property of any sort may subject the employee who does so to disciplinary action, up to and including termination. In the event that circumstances warrant, a report of the employee's conduct may be made to law enforcement authorities for appropriate response.

2. Use of Pittsfield Public Schools Telephones

Telephones are provided throughout the school system in order to promote the efficient and economical conduct of the business of the Pittsfield Public Schools. This equipment is not meant for employees' private use or for the conduct of commercial, personal, or other business unrelated to the public business of the Pittsfield Public Schools.

It is understood that on occasion an employee will find it necessary to make or receive a telephone call of a personal nature while at work. Nevertheless, except in such incidental and infrequent circumstances, it is prohibited to use telephone equipment located in school buildings or facilities for any purpose not related to the business of the Pittsfield Public Schools, without the express prior permission of the Superintendent of Schools or her/his designee.

3. Use of Photocopiers or Facsimile (FAX) Machines

Photocopying equipment and facsimile transmission (fax) machines are provided throughout the school system in order to promote the efficient and economical conduct of the business of the Pittsfield Public Schools. These machines and equipment are not meant for employee use for personal copying or faxing, nor are they meant for use in producing, duplicating, or distributing commercial materials or notices, or for any other purpose except the business of the Pittsfield Public Schools. It is prohibited for any Pittsfield Public Schools employee to use photocopying equipment or fax machines for any use that is not related to the business of the Pittsfield Public Schools without the express prior permission of the Superintendent of Schools or her/his designee.

4. Use of Pittsfield Public Schools Official Stationery

Official stationery of the Pittsfield Public Schools is intended for the use of school employees in the conduct of official school business. Official school stationery may not be used by any employee for personal, commercial, or any other purpose that is not directly related to the mission of the Pittsfield Public Schools.

5. No Assurance of Privacy When Using School System E-Mail

Pursuant to School Committee policy (Policy PER-20A, “Acceptable Use”), no employee should have any expectation whatsoever of privacy in her/his use of a Pittsfield Public Schools computer, of electronic mail (e-mail) access provided by the Pittsfield Public Schools, or of any software or Internet access provided by or through the Pittsfield Public Schools. Any e-mail sent from or received at a Pittsfield Public Schools network address, or that is accessed on a school computer, or other use of a Pittsfield Public Schools computer, is subject to scrutiny by the Superintendent of Schools or her/his designee, and to review for its appropriateness. Any inappropriate use of school system e-mail or other computer access or facilities may subject the employee who does so to disciplinary action, up to and including termination. See Policy PER- 20A, PER-61A.

6. Building and Room Keys - Building Swipe Cards

- A. **School Keys Are Property of School System.** Building and room keys to school system property and facilities are provided to school personnel solely for the benefit of the educational and other legitimate activities of the Pittsfield Public Schools. Such keys are the property of the Pittsfield Public Schools and the City of Pittsfield. They are not the property of the individual whom they are provided to.
- B. **Key Collection Form and Process** - [School secretaries, please click here to access the district Key and Swipe Card collection form.](#)
- C. **Unauthorized Possession or Copying of Keys Prohibited.** No person to whom such keys are duly issued may loan them to any other person without express prior approval of the superintendent of schools or her/his designee. No person to whom such keys are duly issued may copy or facilitate the copying of keys to any Pittsfield Public Schools building or facility, or room or rooms within such a building or facility, for any reason without express prior approval of the Superintendent of Schools or her/his designee.
- D. **Surrender of Keys on Demand.**
 - a. *Authorized Keys.* Any and all keys provided to school system facilities and property that are provided to Pittsfield Public Schools employees shall be surrendered immediately upon the request or demand of the Superintendent of Schools, the Superintendent’s designee, the principal of the building to which the keys provide access, or, for any custodial employee, the Director of Custodial Services.
 - b. *Unauthorized Keys.* Any employee who is in possession of one or more keys to a Pittsfield Public Schools building, or rooms within a school building, which have been copied without authorization, or the possession of which by that employee is

unauthorized, shall immediately turn all such keys over to her/his supervisor or to the Business Office

- E. **Consequence of Disregard of These Rules.** Unauthorized possession by a Pittsfield Public Schools employee of keys to school buildings and rooms, and failure by an employee to surrender unauthorized keys, shall be deemed an insubordinate act. As such, it may be subject to disciplinary action, up to and including termination. Failure to surrender keys upon demand may be deemed an insubordinate act, and may be subject to disciplinary action, up to and including termination. Possession of unauthorized keys may also be deemed a criminal act under certain circumstances, and may be reported to appropriate authorities.

7. *Pittsfield Public Schools Vehicle Keys*

The rules that are set forth in XII § 6, above, regarding building and facility keys, including the consequences for disregarding those rules, are wholly applicable for keys to any motor vehicle that is owned by or that is in the possession of the Pittsfield Public Schools.

8. *Integrated Pest Management Plan Requirements*

The Pittsfield Public Schools' integrated pest management plan, which is developed in accordance with Massachusetts law, is intended to control pests and vermin in school buildings and on school grounds in a manner that is at once effective and ensures the safety of students, staff, and members of the community, including the neighbors of Pittsfield's schools. Use of pesticide products, including those available over the counter, is strictly regulated by the policy in order to ensure that no student, staff member, or member of the community, including a neighbor of a Pittsfield Public Schools, comes into contact with any such substance without appropriate prior notice.

It is therefore prohibited for any Pittsfield Public Schools employee to use any pesticide or chemical product intended for the control of pests or vermin that may be found in or in the vicinity of a Pittsfield Public School building, including any product that is available over the counter, without the express prior consent of the Superintendent of Schools or her/his designee.

This prohibition has been established in order to ensure the school district's compliance with applicable Massachusetts law. Disregard of this prohibition may be deemed insubordination, and may therefore subject the employee to disciplinary action, up to and including termination.

The Director of Custodial Services has been designated by the Superintendent as having the responsibility in the district for dealing with pest infestations or occurrences, and for compliance with district's integrated pest management plan.

9. *Failing to Close Fire Doors and Use of Door Wedges Prohibited*

Fire doors are placed in school buildings in order to prevent the spread of fire, thereby saving lives and property. For fire doors to work as intended they must be closed. Therefore, it is prohibited for any employee to prop or keep open a fire door in any fashion. No fire door is to be open at any time except momentarily, to allow persons or materials to pass through the doorway.

The Pittsfield Public Schools incurs considerable expense annually by having to replace doors and door frames throughout the system that are damaged by students' and staff members' propping doors open

with metal, wooden, or other types of wedges or items used as wedges. The use of any object to wedge open a door in a Pittsfield Public Schools facility is therefore prohibited.

10. *Employee Handbook*

The Pittsfield Public Schools Employee Handbook is posted to www.pittsfield.net.

Part XIII. District Procedures and Forms Access

1. [*Field Trip Process and Request Procedures*](#)

2. *Contents of the Student Record*

Legal Language:

The student record shall consist of the **transcript** and the **temporary record**, including all information recording and computer tapes, microfilm, microfiche, or any other materials regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The term as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

The transcript shall contain administrative records that constitute the minimum data necessary to reflect the student's educational progress and to operate the educational system. This data shall be limited to the name, address, and phone number of the student; his/ her birth date; name, address, and phone number of the parent or guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed.

Additional Information:

- Copies of classroom assessments should not be kept in the student record (folder).
- Important letters to families related to school/district concerns, attendance, completion of school work, etc. from any educator or administrator should be uploaded to PowerSchool by a school secretary or administrator. [Administrators and secretaries, click here for directions.](#)

Part XIV. Curriculum, Instruction, Assessment, and Professional Development

[*Curriculum, Instruction, Assessment district website*](#)

Curriculum

Instruction

Assessment

Click here to view the district/assessment calendar.

[High School PowerSchool Assessment Access Directions](#)

Professional Development

[Click here to view the District Professional Development calendar.](#)

Part XV. Special Education and 504 Procedures

504

[504 Policy and Procedures Manual - Pittsfield Public Schools](#)

Special Education

Part XVI. Technology for Instruction, Organization, and Management

[*Current links to all online programs and resources that the Pittsfield Public Schools currently utilizes with staff and students*](#)

PowerSchool Pro Grading and Reporting

[Click here to view the progress report and grading expectations memorandum that was sent out by the Superintendent on May 11, 2018.](#)

Part XVII. Social Emotional Learning and Positive Behavioral Supports

[*Registered Behavioral Technician School Implementation Guide*](#)

[*Registered Behavioral Technician Information Presentation*](#)

[*Fastbridge Behavioral Assessment Descriptions*](#)