



**North Adams Public Schools  
2017 – 2018  
Employee Handbook**

# Administration and Schools

## **Administration:**

Dr. Barbara Malkas, Superintendent  
37 Main Street, Suite 200  
413-776-1458

## **Elementary Schools:**

Brayton Elementary School  
20 Brayton Hill Terrace  
John R. Franzoni, Principal  
413-662-3260

Greylock Elementary School  
100 Phelps Avenue  
Sandra Cote, Principal  
413-662-3255

Colegrove Park Elementary School  
24 Church Street  
Amy Meehan, Principal  
413- 62-3250

## **High School:**

Drury Senior High School  
1130 South Church Street  
Timothy Callahan, Principal  
413-662-3240

## **Other District Buildings**

The Off-Campus Program  
931 South Church Street  
413- 776-1683

## **E3 Academy**

The Armory  
206 Ashland Street  
413-776-1669

# Employee Handbook

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## **ABOUT THIS EMPLOYEE HANDBOOK**

Our Employee Handbook was created to provide all employees of the North Adams Public School District an overview of policies procedures. Understand that this handbook contains important information on the general personnel policies, practices, privileges, and obligations of being an employee. In addition, the North Adams Public School Employee Handbook contains notifications required by law.

This handbook does not constitute a contract and makes no guarantees of employment, compensation, or benefits. The Superintendent and/or School Committee reserve the right to make changes in the policies and practices at any time at their sole discretion, and interpret and administer the policies in light of changing circumstances, events, and applicable statutory guidelines.

## **PART I. Mission of the North Adams Public Schools**

### **§ 1. Mission of the North Adams Public Schools**

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

**The mission of the North Adams Public Schools is to help every child learn every day and empower all students to recognize and optimize their full potential. (Policy AD).**

## **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 North Adams Public Schools. The exception to the Superintendent's status as appointing authority is the Superintendent of Schools. The North Adams School Committee, elected biennially by the voters of North Adams, is the appointing authority for this position. The names of all newly hired regular employees of the North Adams 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 North Adams School Committee, which is elected biennially by the voters of North Adams, is created under the laws of the Commonwealth of Massachusetts and the Charter of the City of North Adams to oversee the operation of the North Adams 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 North Adams Public Schools employee bargaining units.

### **§ 3. School Committee's Composition**

The North Adams School Committee shall consist of the Mayor, who shall be the Chairperson, and six members elected at large. Of the six members elected at large, three members are elected biennially to serve four year terms. The names of the current members of the School Committee appear on our website.

### **§ 4. School Committee Meetings**

The North Adams School Committee holds regular business meetings monthly. The Committee meets ordinarily in the Conference Room at the Superintendent's office on the first Tuesday of each month. Meetings begin at 6:00 p.m. All meetings are open to the public. The Committee annually adopts a calendar stating its meeting dates.

### **§ 5. Posting of School Committee Meetings**

Regular meetings of the North Adams 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 BEDB of the North Adams School Committee.

### **§ 6. School Committee Policy Manual**

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

B. Location of Copies. A complete set of North Adams School Committee policies can be found at the North Adams Public Schools' website ([www.napsk12.org](http://www.napsk12.org)). Every employee of the North Adams 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 North Adams Public Schools maintains an Internet website containing information about the school system. In addition to the School Committee's policy manual, the website contains directory information about administrative staff in the school system, 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 North Adams Public Schools' community and the general public. The website address is:

**[www.napsk12.org](http://www.napsk12.org)**

## **PART III. Discrimination Prohibitions & Procedures**

### **§ 1. Employment Non-Discrimination Statement**

The North Adams Public Schools' policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against on account of age, race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness. (Policy AC)

### **§ 2. Discriminatory Conduct by Employees Prohibited**

Each employee of the North Adams Public Schools shall conduct herself/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 North Adams Public Schools.

A North Adams Public Schools employee who is found to have discriminated against any person in the course of her/his employment by the North Adams 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.

### **§ 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 North Adams Public Schools include:

- racial harassment;
- sexual harassment, both quid pro quo and hostile workplace environment;
- harassment of an individual for her/his sexual orientation or gender identity;
- 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 Grievance 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 North Adams 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:



**§ 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 North Adams 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. Those against whom complaints are filed have legal protections, including due process rights that must be respected.

For these reasons the North Adams Public Schools cannot assure an employee who makes a discrimination complaint of the 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 North Adams 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) Retaliation by any person employed by the North Adams 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 North Adams 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. 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 North Adams 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 there under, may be obtained from the Administrator of Special Education.

**§ 9. Title IX/CH. 622**

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

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

Abby Reifsnyder and John Franzoni have been designated as the District’s Title IX compliance officers. If you have any questions or concerns regarding Chapter 622 or Title IX, please contact Abby Reifsnyder at E3, 206 Ashland Street, Telephone (413) 776-1669 or John Franzoni (see contact information below).

**§ 10. Grievance Officers**

The North Adams School Committee has designated Thomas Simon and John Franzoni as the Grievance Officers of the North Adams Public Schools. They are 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 North Adams Public Schools under Title II, Title VI, Title VII, the Americans with Disabilities Act, Section 504, and all other pertinent statutes.

Thomas Simon, Director of Student Support Services  
North Adams Public Schools  
37 Main Street, Suite 200, North Adams, MA 01247  
[tsimon@napsk12.org](mailto:tsimon@napsk12.org)  
(413) 776-1670  
For Title VI and Title VII

John R. Franzoni, Brayton Elementary School Principal  
20 Brayton Hill Terrace, North Adams, MA 01247  
[jfranzoni@napsk12.org](mailto:jfranzoni@napsk12.org)  
(413) 662-3260  
For Title II and Americans with Disabilities Act, Section 504

## **PART IV. Personnel, Payroll & Expense Reimbursement**

### **§ 1. Central Office**

A. Location and Hours of Operation. The Central Office of the North Adams Public Schools is located at 37 Main Street, Suite 200, North Adams, MA 01247. Phone (413) 776-1458 Fax (413) 776-1685.

Regular business hours during the school year are 7:30 a.m. to 4:00 p.m. Monday – Thursday and 7:30 a.m. to 3:30 p.m. on Friday. Regular business hours when school is not in session are 8:00 a.m. to 3:30 p.m. Monday – Thursday and 8:00 a.m. to 1:00 p.m. on Friday.

B. Office Responsibilities. The Central Office is the official site of all personnel records for school district employees, past and present. It is also the site of the Payroll and Benefits Office. An employee should contact the Central Office with any questions or concerns regarding the following topics: sick leave accumulation and use; personal leave use; accuracy of compensation; clarification of benefits available and entitlement to such benefits; 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 North Adams Public Schools.

### **§ 2. Pay Dates**

Employees of the North Adams Public Schools are paid every other Friday. Twelve-month employees (principals, other administrators, custodians, year round employees, and teachers) are paid 26 times per year. School-year employees (paraprofessionals, school year employees, cafeteria employees, bus drivers) are paid either 26 or 22 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.

### **§ 3. Payroll Procedures**

A. Paperwork Requirements Upon Employment. Every new employee of the North Adams 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 Offender Record Information) and SORI (Sexual Offender Record Information) authorization form; (4) complete the SAFIS Fingerprint National Background Check ; (5) complete an I-9 form as required by the U.S. Immigration and Naturalization service; (6) if being employed in a position requiring a license or certificate from the Massachusetts 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 (7) complete such other paperwork as may be required by the Central Office.

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

B. Closing of Payroll. Paychecks for all North Adams municipal employees, including employees of the North Adams Public Schools, are issued by the City of North Adams. 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 or Payroll Deductions. Changes in an employee's benefits, insurance coverage, credit union deductions, and other matters related to payroll are made through the Payroll Office.

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.

D. Change of Address and/or Phone Number. Changes in an employee's address and/or phone number should be reported to the Payroll Office immediately in order to make sure you receive all proper paperwork, insurance information, checks, W-2's, etc.

E. Direct Deposit. The district encourages all employees to elect to receive their paycheck via Direct Deposit. Some collective bargaining units require Direct Deposit. Please contact the Payroll Office with any questions.

**§ 4. Employee Expense Reimbursement**

The North Adams Public Schools follows the procedures mandated by the City of North Adams's Auditor 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 North Adams Public Schools without express prior authorization by the Superintendent. Reimbursement for tolls, parking, food, or lodging must be submitted using the Travel Reimbursement Voucher and requires an original **itemized** receipt for each expense incurred for which reimbursement is sought. *When submitting multiple receipts on one voucher, circle each total and attach a totaled adding machine tape or excel spreadsheet list to the Travel Reimbursement Voucher.* Gratuities of up to 18% are reimbursable. Alcohol and sales tax are not reimbursable and alcohol should not be on any receipt submitted for reimbursement.

**§ 5. Employee Mileage Reimbursement**

When a North Adams Public Schools 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 current reimbursement rate is \$.30 per mile. Travel to work from home and home to work is not reimbursable. Mileage claims should be submitted monthly rather than aggregated. See instructions for submission as detailed in Employee Expense Reimbursement listed above.

**§ 6. Ordering of Supplies or Equipment Requires Prior Authorization**

The only way that an employee of the North Adams Public Schools may order any item(s), supplies, materials, or services that is 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 North Adams Public Schools contract. 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.

**§ 7. Unauthorized Use of Tax Exempt Number Prohibited**

No employee of the North Adams Public Schools shall use the school district's tax exempt number under any circumstances.

**§ 8. Employees' Access to Their Personnel Records**

The personnel records of the North Adams Public Schools are maintained in the Central Office. 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 Central Office or her/his designee that the employee wishes to examine her/his own personnel file. Personnel files may not be removed from the Central 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 Central Office.

## **PART V. Absences From Work**

### **§ 1. Reporting Absences From Work**

Any absence from work, whatever the excuse, disrupts some aspect of the North Adams Public Schools' educational and support programs; therefore, an employee who must be absent from work for any reason must 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.

If you are employed under the North Adams Teacher Association (NATA) Collective Bargaining Agreement, please refer the NATA contract for information on the sick leave bank membership and usage.

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

#### **Administrative Personnel**

Principals, Director of Student Support Services, Business Manager, Director of Curriculum Instruction and Assessment, Network Administrator, After School Coordinator, Director of Facilities, Director of Food Services: *To the Superintendent* (413-776-1458)

Assistant Principals and Deans of Students: *To the Principal*

Health Services Administrator: *To the Director of Student Support Services* (413)776-1670

#### **Instructional Personnel**

Teachers, Specialists, School Adjustment Counselors, Tutors, Teacher Assistants and Paraprofessionals assigned to a specific school: *to the Principal*.

#### **Support Personnel**

Psychologists and Coordinators of Pupil Services: *to the Director of Student Support Services* (413) 776-1670

Occupational & Physical Therapists: *To the Principal*

Custodians & maintenance crew: *To the Director of Facilities* (413)776-1458

Van drivers & van monitors: *To the Director of Student Support Services* (413) 776-1670

Cafeteria employees: *To the Director of Food Services* (413) 776-1630

Technology staff: *To the Network Administrator* (413) 776-1627

Miscellaneous Support personnel: *To the immediate supervisor*

### **§ 2. Medical Absences**

#### **A. Medical Evidence in Case of Illness**

An employee who is absent from work for medical reasons for more than three (3) consecutive work days must 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 Central Office to plan better for her/his absence, including making a determination of the need for a substitute.

## **B. Family and Medical Leave Act (FMLA)**

Basic Information. Any employee who has been employed by the North Adams Public Schools for the preceding 12 months and has 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 family and for certain child-care or adoption situations.

How 12 Months Is Counted. The North Adams 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.

Further Information. For specific information about the FMLA and employees who are covered by its provisions you may contact Ellen Sutherland, Assistant to the Superintendent, at 413-776-1458 or [esutherland@napsk12.org](mailto:esutherland@napsk12.org).

## **C. Absence for Childbirth and Childrearing**

Childbirth. An absence associated with pregnancy and/or childbirth is considered to be a medical absence. With a physician's statement of need for women for the time, an absence associated with pregnancy or childbirth is covered by Massachusetts Parental Leave Act (PLA) 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. The Massachusetts Parental Leave Act (PLA) overwrites the Massachusetts Maternity Leave Act (MLA) by expanding coverage beyond just female employees. The PLA

- Allows male employees to take eight weeks of job-protected leave for the birth or adoption of a child.
- Any employee – regardless of gender – may take leave if a child is placed by court order with the employee
- Allows parental leave to be with or without pay – if paid the employee should exhaust personal or vacation day balances
- If there are two employees taking leave for the birth of the same child cannot claim eight weeks each, but rather eight weeks total for both employees.
- The employee needs to provide at least two weeks' notice to North Adams Public Schools of the anticipated date of departure and anticipated date of return.

The PLA covers employees that have been employed by the North Adams Public Schools for at least three consecutive months as a full-time employee. For further information you may contact Ellen Sutherland, Assistant to the Superintendent, at 413-776-1458 or [esutherland@napsk12.org](mailto:esutherland@napsk12.org)

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 leave for pregnancy or childbirth may be obtained from the Central Office.

### **Domestic Violence Act**

The Domestic Violence Act allows an employee who is a victim of domestic or sexual violence (or who has a family member who is a victim) to take up to 15 days of leave from work in any 12-month period – as long as the employee is not the perpetrator of the violence.

Employees who wish to take leave to care for themselves or an eligible family member should provide North Adams Public Schools adequate advance notice unless the employee or the family member of the employee face imminent danger. An employee should exhaust personal or vacation day balances prior to using the unpaid time off allowed under the Act.

The employee may need to provide North Adams Public Schools documentation of the domestic or sexual violence, including medical records or a police report. For further information you may contact Ellen Sutherland, Assistant to the Superintendent, at 413-776-1458 or [esutherland@napsk12.org](mailto:esutherland@napsk12.org)

## **§ 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 or personal contracts.

### **B. Professional Leave**

Professional leave is available to teachers and administrators under conditions set forth in their respective pertinent collective bargaining agreements or contracts. 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 Superintendent.

### **C. Military Leave**

In certain situations military leave is available to North Adams 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 their union representative.

### **D. Jury Duty**

Pursuant to the requirements of M.G.L. c. 234A § 48 passim and pertinent provisions of collective bargaining agreements, the North Adams 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 North Adams 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 North Adams Public Schools does not provide extended leave, either paid or unpaid, to its employees for the purpose of seeking or engaging in other employment.

**§ 4. School Cancellation and Delay Announcements**

School cancellations and the delayed start of school announcements will be made via School Messenger, a telephone communication system that allows a recorded message to be sent to each employee. Messages will be delivered to staff at varying times on the morning of the cancellation or delay, unless conditions are such that the information is known on the previous day and notification can be sent out the evening prior to the cancellation or delay. If you wish to receive your call at a number other than your home telephone number or at multiple numbers, please contact Ellen Sutherland at 413-776-1458 or via e-mail at [esutherland@napsk12.org](mailto:esutherland@napsk12.org). Cancellations are listed on television on channels 6, 10, and 13, and broadcast on the radio at WBEC FM 95.9, WUPE FM 100.1 and AM 1110, WNAW AM 1230, WBRK AM 1340 and FM 101.7. They are also posted on the District's website [www.napsk12.org](http://www.napsk12.org) as well as on [www.iberkshires.com](http://www.iberkshires.com) and [www.facebook.com/NAPSK12](https://www.facebook.com/NAPSK12) and on Twitter at NAPublicSchools@TheNorthAdamsPS



## **PART VI. General Employment Issues**

### **§ 1. Basic Work Expectations of Employees**

Each person who is employed by the North Adams 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 North Adams Public Schools employee. Those expectations are that each employee:

- Attend work regularly and punctually unless excused due to emergency, illness, or previously approved absence;
- Show respect to other employees, students, and members of the public;
- Take due care with all property of the North Adams Public Schools;
- 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 North Adams Public Schools;
- Adhere strictly to the established rules, policies, and procedures of the North Adams School Committee and the Superintendent of Schools;
- Exercise reasonable judgment, and therefore behave sensibly, in interacting with other employees, supervisors and administrators, students, and the public;
- Take direction respectfully and promptly from her/his supervisor;
- Implement her/his supervisor's directives promptly, thoroughly, and to the best of that employee's ability; and
- Otherwise perform to the best of her/his ability all the duties associated with that employee's specific position in the North Adams Public Schools.
- There is to be no use of cell phones, or other electronic devices, for personal reasons during normal work hours.

### **§ 2. Employee Ethics**

The North Adams School Committee has established the following Code of Ethics for employees of the North Adams Public Schools (Policy GBEA). 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;
- Refrain 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 North Adams 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 then the individual with the question should contact their union representative. If the individual is not part of a collective bargaining agreement she/he should contact the Superintendent of Schools.

### **§ 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.

If you need to leave the building, for any period of time during normal work hours, you must obtain permission from your principal or direct supervisor and you may be required to sign in and out of the building.

B. Prohibition of Overtime Without Prior Authorization. Not all North Adams 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 North Adams 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 of 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 North Adams 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 (CORI) Checks**

Under Massachusetts law no person may be employed by, or may work as a volunteer, in any capacity with the North Adams 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. 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.

#### **§ 6. National Criminal Background Check**

Governor Patrick signed Chapter 459 of the Acts of 2012, “An Act Relative to Background Checks.” <http://www.malegislature.gov/Laws/SessionLaws/Acts/2012/Chapter459> This law expands what public, private, and parochial schools, including approved private special education schools and child care facilities, already do in conducting state CORI checks on all employees at least once every three years. It creates a national criminal database check for all school employees and contractor employees. All **newly hired** school employees, including educators, maintenance staff, cafeteria workers, bus drivers, and employees of contractors who work in the schools and may have direct and unmonitored contact with children are currently required to complete the new national background check. Volunteers at schools will continue to be required to submit to state CORI checks at least once every three years, as currently required by statute, but will not be required to submit fingerprints for the national checks.

Unlike state CORI checks that have no associated fee, individuals will pay a fee to comply with this requirement that ranges from up to \$35 for non-licensed employees to up to \$55 for license-holders. The Executive Office of Public Safety and Security (EOPPS) will design the system to meet this new national background check requirement. For more information please refer to

<http://www.mass.gov/edu/birth-grade-12/early-education-and-care/background-records-check-resources/frequently-asked-questions-regarding-background-checks.html>

#### **§ 7. Employee Work Assignments**

Each employee of the North Adams 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 to promptly seek clarification of the matter in question from his/her supervisor. School hours are 7:45 a.m. to 2:20 p.m. at Drury High School and 8:25 a.m. to 2:55 p.m. at the elementary schools.

#### **§ 8. Employees Working Other than for the North Adams Public Schools**

When a person is employed by the North Adams Public Schools on a regular, full-time basis, then the School Committee 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 North Adams 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 North Adams 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 North Adams Public Schools facilities, equipment, or materials in performing outside work.

### **§ 9. Posting Notices of Employee Rights**

A posting of the employment-related rights that North Adams Public Schools employees have under various Massachusetts and federal statutes can be found in each school or other facility of the North Adams 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 Central Office, 37 Main Street, Suite 200, North Adams, MA 01247, phone (413) 776-1458.

### **§ 10. Availability of Copies of Collective Bargaining Agreements**

The following North Adams Public Schools' employees are employed under collective bargaining agreements: Teachers, Cafeteria Managers, Cafeteria Workers, Custodian and Maintenance Workers, Paraprofessionals and Teacher Assistants. Copies of collective bargaining agreements are available from the president of each union.

### **§ 11. Indemnification of Employees**

Under M.G.L. c. 258 § 9 the City of North Adams 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.

## **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 North Adams Public Schools who is injured in the course of her/his employment, or who seeks care for a work-related medical condition, must first contact their immediate supervisor and seek medical attention by reporting to Berkshire Occupational Health & Wellness (BOHW). 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).

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

Berkshire Occupational Health & Wellness  
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 Northern Berkshire Campus of BMC (former North Adams Regional Hospital). 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 who will fax them to the Central Office. 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. Worker's Compensation**

A. General Information. Worker's 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 North Adams 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' compensation, assuming that the employee has health insurance through her/his employment with the North Adams 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 North Adams 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 Worker's Compensation Absences and the FMLA. Time when an employee is absent on a worker's 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).

## **PART VIII. Workplace Rules**

### **§ 1. Workplace Conduct**

Each employee of the North Adams Public Schools shall behave 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).

### **§ 2. Respect for the Public**

Each employee of the North Adams 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 North Adams, and by other sources of public funding. Moreover, each person working for the North Adams Public Schools is employed solely in order to enable the school system to pursue the mission of the North Adams 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 North Adams Public Schools.

### **§ 3. Respect for Fellow Employees**

Each employee of the North Adams 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 North Adams 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 North Adams 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 North Adams 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 North Adams 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 North Adams 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 however 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; the North Adams Public Schools) 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 North Adams 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 North Adams 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. Any use of a weapon or object used as a weapon to cause harm to another person will be reported to law enforcement and will be subject to disciplinary action up to and including termination from employment.

#### **§ 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 (GBED), 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 North Adams Public Schools has been hired to further the education of the children and young people of North Adams in conformity with the mission of the North Adams 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 North Adams 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 the North Adams Public Schools. Moreover, every school system employee represents the North Adams Public Schools to the public.

In light of these facts, each North Adams Public Schools employee should dress for her/his work assignment in a manner that properly acknowledges that he/she is serving as a role model for children and young people and as a public employee working at the public's business. Although the North Adams 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 North Adams 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 North Adams 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 (IJNDB), except for conducting the business of the North Adams Public Schools, no use of a school district computer, of school district software, of the North Adams 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 to conduct North Adams 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 North Adams Public Schools Hardware, Software, or Network**

The North Adams Public Schools makes no express or implied warranties for the computer, network, or Internet access it provides. The North Adams Public Schools cannot completely eliminate access to information that is offensive or illegal and resides on networks outside the North Adams Public Schools' system. The accuracy or quality of information obtained cannot be guaranteed. The North Adams 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 (GBEC) the North Adams Public Schools is a drug-free workplace. Therefore, it is strictly prohibited for any North Adams 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 North Adams 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 North Adams 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 GBI).

A North Adams 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 allowed. 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 North Adams 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 Superintendent.

### **§ 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 (GBEBC) discourages parents from providing staff members with gifts 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 North Adams, the North Adams School Committee, the North Adams Public Schools, or any school, program, or activity of the North Adams Public Schools unless the Superintendent has been provided with the grant application or proposal at least 10 working days before it is submitted to the grantor. The Superintendent must approve and sign the application before it may be sent to the grantor.

If an employee receives notice that a grant has been awarded based on an application in the name of the City of North Adams, the North Adams School Committee, the North Adams Public Schools or any school, program, or activity of the North Adams Public Schools then the employee must immediately notify the Superintendent of this award. All funds received through any grant so applied for must be immediately forwarded to the Superintendent of the North Adams Public Schools.

### **§ 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 a recognized and excusable reason, every North Adams 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 North Adams 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 North Adams Public Schools, or in any domestic issue related to a North Adams 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 North Adams 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 North Adams Public Schools should be referred to the Superintendent (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 identifies herself/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 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 Superintendent (see IV § 1.A, above).

## **PART IX. Employee Benefits**

### **§ 1. Health Insurance**

A. Who Is Eligible? Health insurance coverage is available through the City of North Adams to each employee of the North Adams Public Schools who holds a regular position that entails at least 20 hours per week of work.

B. Questions. Questions about health insurance coverage and eligibility should be addressed to the Central Office (see IV § 1.A., above).

C. Waiver of Benefits. If an employee of the North Adams 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 North Adams Public Schools on a similar basis to the availability of health insurance coverage. Questions about dental insurance coverage and eligibility should be addressed to the Central Office (see IV § 1.A, above).

### **§ 3. Group Life Insurance**

Group life insurance coverage is available to employees of the North Adams Public Schools on a similar basis to the availability of health and dental insurance coverage. Questions about group life insurance coverage and eligibility should be addressed to the Central Office (see IV § 1.A, above).

### **§ 4. Optional Whole Life Insurance**

Optional whole life insurance is available to employees of the North Adams Public Schools on a similar basis to the availability of health, dental, and group life insurance coverage. Questions about optional whole life insurance coverage and eligibility should be addressed to the Central Office (see IV § 1.A, above).

### **§ 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 North Adams Public Schools; then (2) during the annual open enrollment period for all employees in the spring; 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 at various times depending on which benefit. Each year the practice has been for a written notice to be sent from the Office of the Mayor or the City Treasurer 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 North Adams 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 the Central Office at 413-776-1458.

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

Changes in an employee's health insurance coverage are made through the Payroll Office (413)-662-3225. 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] and 457[b] Plans)**

Tax-deferred annuity contributions, consistent with what is permitted by federal and state law, can be made by employees of the North Adams Public Schools pursuant to M.G.L. c. 71 § 37B to any provider that has executed an agreement with the City of North Adams. Questions about tax-deferred annuities should be addressed to the Payroll Office, (413)-776-1458.

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

Pre-tax contributions may be made by North Adams 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 Payroll Office, (413)-776-1458.

## **§ 9. Unemployment Benefits**

Employees of the North Adams 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. 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 North Adams DET office dealing with unemployment insurance claims is located at Berkshire Works Career Center, 160 North Street, Pittsfield, MA 0120. The telephone number is (413) 499-2220.

## **§ 10. COBRA 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.

Questions about COBRA rights and benefits should be addressed to the Payroll Office.

## **§ 11. Employee Retirement Contributions**

All employees of the North Adams 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 working a minimum of 25 hours per week in a non-certified position with the school system is obliged to be a member of the North Adams Retirement System. (3) Any other employee, working less than 25 hours per week, including a non-certified teacher, is obliged to contribute to a tax-deferred annuity fund.

Questions about retirement contributions and benefits should be addressed to the Payroll Office (see IV § 1.A, above) or to the appropriate retirement system.

**§ 12. Estimates of Accumulated Leave for Severance Pay**

Some North Adams 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.

Many employees want to know in advance of their retirement how many sick leave days they have accumulated so that they can estimate the severance payments they will receive. This information can be found on their bi-weekly paycheck. Employees are welcome to make an appointment with staff in the Payroll Office to examine their own attendance files and make their own estimates of severance pay based on the documentation found there.

**§ 13. Employee Assistance Program**

It is the responsibility of each employee to seek help before a condition has an adverse impact on his/her employment. The City of North Adams provides a no-cost Employee Assistance Program (EAP) through MIIA (Massachusetts Interlocal Insurance Association). The EAP entitles you and your household members to confidential counseling and assistance on personal or work-related issues such as family & marital problems, drug & alcohol abuse, stress management, financial difficulties, health problems and emotional stress.

AllOneHealth  
[www.allonehealth.com](http://www.allonehealth.com)  
[www.emiia.org](http://www.emiia.org)  
800-451-1834

**§ 14. Holidays**

Teachers and certain other salaried staff who work on a school calendar basis do not receive separate paid holidays. Full time (12 month) employees are eligible for paid holidays as specified in the various union contracts and letters of hire. North Adams Public Schools recognizes the following holidays.

**New Year's Day**  
**Patriots' Day**  
**Independence Day**  
**Veterans Day**  
**½ day before Christmas**

**Martin Luther King, Jr. Day**  
**Good Friday\***  
**Labor Day**  
**Thanksgiving**  
**Christmas**

**Presidents' Day**  
**Memorial Day**  
**Columbus Day**  
**Day after Thanksgiving**  
\*Based on school calendar

## **PART X. Safety Issues**

### **§ 1. Workplace Safety**

The safety of students, staff, and the public is the foremost concern of the North Adams 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 North Adams 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, North Adams 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 North Adams 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 North Adams Public Schools. It is strictly prohibited for any person issued an I.D. card or badge by the North Adams Public Schools to loan that identification to any other person for any reason. It is also strictly prohibited for any employee of the North Adams 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 North Adams 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 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 herself/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 Children and Families (DCF) 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 DCF. Employees must complete and submit a *Report of Child(ren) Alleged to be Suffering from Serious Physical or Emotional Injury by Abuse or Neglect* form (51A form) to DCF with a copy of the form also submitted to the Superintendent of Schools.

Under § 51A a school employee who believes that a child is abused or neglected can satisfy her/his legal obligation to make a DCF report by reporting the concern at once to the person in charge of the school where the employee works. Therefore, any North Adams 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 is 1-800-292-5022.

### **§ 5. Reporting Suspicious Persons, Activities, or Objects**

Any North Adams 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 North Adams Public School 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. Visitors to Buildings**

All visitors to any school building must report to the office and obtain an identification badge. If you see someone in the building without a badge whom you do not recognize, contact the office at once.

### **§ 7. Use of Universal Precautions**

Universal precautions should be used by any North Adams Public School 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.

### **§ 8. Bloodborne Pathogens and Hepatitis B Vaccination**

North Adams 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 employee's rights when a possible exposure to bloodborne pathogens occurs should be directed to the Central Office. (see IV § 1.A.)



## **§ 9. Hazardous Materials**

From time to time some North Adams 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 safety data sheets (MSDS) must be available in every work location. Information that is required on an MSDS 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, 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 Central Office (see IV § 1.A).

## **§ 10. 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 North Adams Public Schools has adopted a pest management plan for controlling pests on school district premises. The plan is available in the office of every North Adams Public School. Unless authorized under the North Adams 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 North Adams 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 North Adams 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. Mandated Reporting of Suspected Child Abuse or Neglect**

Please refer to page 31 § 4. Mandated Reporting of Suspected Child Abuse or Neglect

### **§ 3. Corporal Punishment Prohibited**

Corporal punishment in a public school is prohibited by law in the Commonwealth of Massachusetts (M.G.L. c. 71 § 37G). This prohibition applies to all North Adams 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 may be 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 Children and Families 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.

### **§ 4. 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). 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.

Except where it is necessary to use reasonable force to protect pupils, other persons, and the staff member herself/himself 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 North Adams Public Schools offers training to staff members in the appropriate use of physical restraint, as well as in nonphysical 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 Administrator of Special Education 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.

#### **§ 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.

#### **§ 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 Grievance Officer (see III § 9, above).

#### **§ 8. Transporting Students in Private Vehicles**

Except with the express prior consent of the Superintendent, no North Adams 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 (EEAG). This prohibition does not apply to a North Adams 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. However, school personnel are not medically trained diagnosticians and therefore should refrain from venturing medical opinions or judgments about a student to the student’s parent, guardian, or any other party.

#### **§ 10. Bullying Prevention and Intervention**

The North Adams Public Schools expects all staff and students to model behavior consistent with our values. The school system is committed to providing all students with a safe learning environment that is free from the divisive impact of bullying and cyber bullying. The North Adams Public Schools’ goal is to eliminate bullying, cyber bullying and acts of aggression that are harmful to our students and our school system’s culture, and that impede the learning process.

The definition of “bullying” according to MGL c. 71 Section 370 is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school.

To support efforts to respond promptly and effectively to bullying and retaliation, the North Adams Public Schools have policies and procedures in place for receiving and responding to reports of bullying or retaliation. These policies and procedures ensure that members of the school community – students, parents, and staff – know what will happen and what actions will be taken when incidents of bullying occur. [http://www.napsk12.org/apps/pages/index.jsp?uREC\\_ID=276931&type=d&pREC\\_ID=651525](http://www.napsk12.org/apps/pages/index.jsp?uREC_ID=276931&type=d&pREC_ID=651525)

## **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 North Adams 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 North Adams Public Schools except for the purposes for which that property was acquired. Use of North Adams 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 North Adams Public Schools Telephones**

Telephones are provided throughout the school system in order to promote the efficient and economical conduct of the business of the North Adams 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 North Adams 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 North Adams Public Schools, without the express prior permission of the Superintendent 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 North Adams 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 North Adams Public Schools.

It is prohibited for any North Adams Public Schools employee to use photocopying equipment or fax machines for any use that is not related to the business of the North Adams Public Schools without the express prior permission of the Superintendent of Schools or her/his designee.

### **§ 4. Use of North Adams Public Schools Official Stationary**

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

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

No employee should have any expectation whatsoever of privacy in her/his use of a North Adams Public Schools computer, of electronic mail (e-mail) access provided by the North Adams Public Schools, or of any software or Internet access provided by or through the North Adams Public Schools. Any e-mail sent from or received at a North Adams Public Schools network address, or that is accessed on a school computer, or other use of a North Adams 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.

## **§ 6. Building Keys and Room Keys**

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 North Adams Public Schools. Such keys are the property of the North Adams Public Schools and the City of North Adams. They are not the property of the individual whom they are provided to.

B. 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 North Adams 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 or her/his designee.

### C. Surrender of Keys on Demand.

(i) Authorized Keys. Any and all keys provided to school system facilities and property that are provided to North Adams Public Schools employees shall be surrendered immediately upon the request or demand of the Superintendent, the Superintendent's designee, the principal of the building to which the keys provide access, or, for any custodial employee, the Director of Facilities.

(ii) Unauthorized Keys. Any employee who is in possession of one or more keys to a North Adams 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 Superintendent.

D. Consequences of Disregard of These Rules. Unauthorized possession by a North Adams 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. North Adams 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 North Adams Public Schools.

## **§ 8. Integrated Pest Management Plan Requirements**

The North Adams Public Schools' integrated pest management plan, which was 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 North Adams Public 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 North Adams Public Schools, comes into contact with any such substance without appropriate prior notice. It is therefore prohibited for any North Adams 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 North Adams 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 Facilities 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 North Adams 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 North Adams Public Schools facility is therefore prohibited.

### **§ 10. Employee Handbook**

The North Adams Public Schools *Employee Handbook* that is provided to school district employees is the property of and shall remain the property of the North Adams Public Schools. Each North Adams Public Schools employee is expected to familiarize herself/himself with the contents of the Handbook upon receiving a copy.

The *Handbook* shall be kept by the employee for her/his information and reference until she/he is directed to return it to the employee's supervisor, whereupon the employee shall surrender the *Handbook*.

An employee who resigns from, is terminated by, or is laid off from the North Adams Public Schools shall surrender her/his copy of the *Handbook* on or before that employee's last day of work.

RECEIPT OF EMPLOYEE BENEFITS HANDBOOK

I, \_\_\_\_\_, have this day received a copy of the North Adams Public School District's Employee Handbook. I understand that I am responsible for reading the personnel policies and practices described within it.

\_\_\_\_\_  
Employee Signature

Employee Name (please print): \_\_\_\_\_

Date: \_\_\_\_\_