

Staff Trainings/Policy Sign offs

For Daily Subs, Adult Education Teachers, Coaches, Lunch monitors, Agency Staff, student interns, etc that are not enrolled in Safe Schools.

These trainings are to be completed within 30 days of your start date.

These trainings will be issued through your records account on a yearly basis every Fall. The state ethics training needs to be completed every other year.

If you do not have a powerschools records account (student interns & agency contractors), please sign the bottom page once you have reviewed all the materials and email to

HR@hudson.k12.ma.us

INTERNET ACCEPTABLE USE POLICY

The Hudson Public Schools' (HPS) wide-area network provides the staff and students with access to a variety of instructional resources. The intent of this policy is to ensure that all uses of the HPS network are consistent with the purpose of the network.

Purpose

The purpose of the HPS network is to advance and promote educational opportunities, innovation and educational excellence, and to provide students and teachers access to a worldwide array of educational resources. Access to the resources of the network will improve learning and teaching through research, student access to information, teacher training, collaboration and dissemination of successful educational practices, methods, and materials.

Network Use

The HPS wide-area network shall be used in a manner consistent with this policy and the stated purposes of the HPS network, the administrative rules for using the network, and with School Committee Policies and school rules. Communications using networked resources will be considered publications and will be governed by School Committee and administrative policies regarding publications.

Users are expected to conduct themselves in a responsible, ethical, and polite manner while using the network. HPS has taken precautions to eliminate controversial material; however, it is also recognized that it is impossible to restrict access to all controversial materials. Staff and student access to the Internet is provided with the understanding that some material that can be accessed on the Internet may be inaccurate; and that some resources may contain material that is deemed contrary to prevailing community standards or inappropriate for classroom use. Access of such resources will not be permitted. If such inappropriate material is inadvertently encountered, it shall be the user's responsibility to disengage immediately.

Internet Safety Policy

In order to comply with the Children's Internet Protection Act, this document will serve as Hudson Public Schools' Internet Safety Policy. Hudson Public Schools has a content filter in place that blocks and filters Internet sites that are obscene, contain pornography, or contain material deemed by local standards to be inappropriate or harmful to minors. Hudson Public Schools reserves the right to monitor all use of the HPS network, including but not limited to: email, chat rooms, interactive web tools, electronic communications such as instant messaging, and on-line activities.

Use of the Internet has potential dangers. As required by the Broadband Act of 2008, Hudson Public Schools' computer technology and library/media services curricula includes teaching students about Internet safety. The curriculum includes topics such as personal safety, cyberbullying, intellectual property, and other dangerous online activities. We also encourage users to read information regarding Internet safety provided by the Massachusetts Attorney General and posted on the website of the Massachusetts Attorney General.

The following are basic safety rules pertaining to all types of Internet applications:

Users should never reveal any identifying information such as last names, ages, addresses, phone numbers, parents' names, parents' employers or work addresses, or photographs, unless approved by a teacher for the purpose of meeting course requirements.

Students should immediately tell their teacher, or staff members their supervisor, if they receive a message that they believe is inappropriate or makes them feel uncomfortable.

Users should never share a password or use anyone else's password. If a user suspects that someone else has discovered his/her password, he/she should change it immediately and notify his/her teacher, if a student, or supervisor, if a staff member.

Responsibilities

Access to the HPS network and the Internet is a privilege, not a right, extended by the Hudson Public Schools to staff, students, and other users for the purposes stated above. The District has the right to restrict or terminate information network access, and/or take other disciplinary action, up to and including suspension or expulsion (students) or dismissal (staff) if an individual violates this policy. The District further has the right to monitor network activity in any form that it sees fit to maintain the integrity of the information network.

Users have the responsibility to respect and protect the rights of other users in our network community and on the Internet. Users are expected to act in a responsible, ethical and legal manner, in accordance with the HPS and School Committee policies, school rules, and in conformance with the purposes of the other networks they use on the Internet, and in compliance with the laws of Massachusetts and the United States.

Network Usage Guidelines

All use of the HPS network must be consistent with its purposes as stated above. This policy does not attempt to articulate all required or proscribed behavior by users of the network. In any specific situation, we rely upon each individual's judgment of appropriate conduct. To assist in such judgment, the following general guidelines are offered:

1. The HPS network is to be used for educational purposes only.
2. Any use for illegal, political or commercial purposes is prohibited.
3. Use of non school-sponsored chat rooms is prohibited.
4. Electronic mail accounts are provided to staff and students in support of the instructional program and its support services.
5. All use of the Internet must be in support of the educational and administrative goals of HPS.
6. Network accounts are to be used only by the authorized owner of the account for the authorized purpose.
7. No use of the network shall serve to disrupt the use of the network by others; hardware or software shall not be destroyed, modified, or abused in any way.
8. Malicious use of the network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited.
9. Participation and using interactive web resources from school must represent what is expected from a student in the Hudson Public Schools. Therefore, any speech that is considered inappropriate in the classroom is also inappropriate in all uses of email, blogs, podcasts, or other interactive web tools. This includes, but is not limited to, profanity, racist, sexist or other discriminatory remarks. Students should promptly inform a staff member if any messages received or material reviewed is inappropriate.
10. Material accessed through the HPS network must be filtered. If students need access to a blocked site, they are expected to work with their teachers or a member of the technology department to explore options available. Students will not attempt to by-pass any blocked sites or circumvent the filter in any manner.
11. Cyberbullying is any communication or publication posted or sent by a person online, by instant messenger, email, website, blog, podcast, wiki, online profile, interactive game, handheld device, cell phone or other interactive technology that is intended to frighten, embarrass, harass or otherwise target another person. The district takes cyberbullying seriously and appropriate action will be taken to protect students and staff from any form of cyberbullying.
12. Privacy: Network storage areas will be treated like school lockers that may be inspected at any time. Network administrators may review communications to maintain integrity system-wide and ensure that students and staff are using the system in a responsible manner. Hudson Public Schools reserves the right to monitor email, chat rooms, electronic communications such as instant messaging, and all use of the HPS network, including but not limited to online activities. Users should not have an expectation of privacy or confidentiality in the content of electronic communications or other computer files sent and received on the school computer network or stored in the user's directory or disc drive. The HPS system reserves the right to examine all data stored on diskettes involved in the user's use of the HPS network.

13. Storage capacity: Users are expected to remain within allocated disk space and delete e-mail or other material that takes up excessive storage space.
14. Illegal copying: Users should neither download nor install any commercial software, shareware, or freeware onto network drives or disks, unless they have written permission from the HPS Technology Department; nor should they copy other people's work or intrude into other people's files.
15. Inappropriate language: No profane, abusive, or impolite language should be used to communicate on the HPS network or on the Internet.
16. Inappropriate materials: Accessing, reading, or forwarding material that has been deemed inappropriate for educational use is prohibited. Should users encounter such material by accident, they should disengage. Students should report such encounters to their teacher immediately.
17. Property: Users must respect others privacy and intellectual property. Users are responsible for citing sources and giving credit to authors during the research process. All communications and information accessible via the network should be assumed to be private property.
18. Personal information such as name, telephone numbers, address, school location, or photos should not be exchanged online, unless approved by a teacher for the purpose of meeting course requirements.

Consequences

While this list is not intended to be exclusive, if a user is found in violation of this Acceptable Use Policy, the consequences imposed could be:

- Up to and including suspension or revocation of network privileges
- Up to and including suspension or revocation of computer access
- Up to and including suspension or expulsion (students)
- Up to and including dismissal (staff)
- The district will advise appropriate law enforcement agencies of suspected illegal activities conducted through the HPS network. The district will cooperate fully with local, state, and/or federal officials in any investigation related to suspected illegal activities conducted through the HPS network.

Notifications

A copy of this policy will be distributed to all employees of the district and must be incorporated into all student handbooks published in the district.

Adopted by the Hudson School Committee: October 9, 2001

Revised by the Hudson School Committee: September 8, 2009

Social Media: Employees

Introduction

The Hudson Public School District (HPS) acknowledges that it has an obligation to protect student data and to maintain professional boundaries between our staff and the community. HPS recognizes the prevalence of social media used for personal and educational purposes and acknowledges that its employees generally have the right under the First Amendment to speak out on matters of public concern. However, HPS also has the right to expect employees to conduct themselves in such a way that their personal or educational use of social media does not adversely affect students, employees, or HPS, and that such use of said social media does not violate any of the rules or policies adopted by HPS.

This policy is adopted as a supplement to, and not as substitute for, the Hudson School Committee Internet Acceptable Use policy, which governs use of the district's technological resources and the HPS Anti-Bullying policy. In addition, this policy also recognizes the responsibilities the district has in protecting students under federal regulation such as the Children's Internet Protection Act.

Social media are those websites which serve as communication tools with a focus on immediacy, interactivity, user participation and information sharing in multiple ways and that are in widespread use. As with any technology, these sites have the potential to be misused, to cause harm to others, and to disrupt the school/learning environment. As used in this document, social media refers to any website that leverages social media, social networking and communication tools for its visitors. Examples include, but are not limited to, books/magazines, internet forums, any form of blogs, social communication sites such as YouTube, Flickr, Facebook, texting, Instagram, Wikipedia, Twitter, Snapchat, etc., wikis, podcasts, photographs or pictures, video (video, vlogs, streaming), social bookmarking and real-time web communications (chat, chat rooms, video chat, message boards, and similar sites and/or any other form of social media).

HPS recognizes the use of social media as an educational tool and views appropriate conduct in these environments as an extension of classroom behavior. The technology, however, allows information shared with a recipient to be redistributed by such recipient, without the employee's knowledge or consent. In addition, when an HPS employee uses social media he/she may be perceived as representing HPS. Therefore, when social media is used as an educational tool by HPS employees, it must reflect and demonstrate the same standards as those used in face-to-face/classroom communications and interactions.

HPS recognizes that students, employees, or other members of the public may create social media sites representing clubs, teams, or other educational, extra-curricular and HPS-related or sponsored groups/activities within the district. When HPS employees choose to join or interact with social media for educational purposes and/or in providing HPS-related information, they do so as an agent of HPS. Employees have a responsibility to address and report any violations of this policy by employees or students to the Principal, building administrator, direct supervisor, or Superintendent.

All HPS schools will note in their parent/teacher handbooks that the use of social media may be part of instructional practice.

Purpose

The purpose of this policy is to establish protocols for the use of social media by employees and outline expectations for its use regardless of whether social media is accessed by devices provided by HPS or personally owned by the HPS employee.

This policy sets forth guidelines for HPS employees describing appropriate and inappropriate uses of existing and future social media in furthering and promoting the educational needs of students, in providing/promoting HPS related information/activities, in interacting with students and in the use of the HPS network/devices/email.

This policy will be distributed annually to all employees at the beginning of each year. The Principal will review this policy with employees assigned to his/her building every year.

When HPS employees are using social media to provide information or interact with students, the following guidelines must be followed:

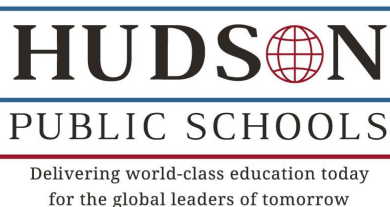
- The social media must serve an educational purpose or HPS sanctioned activities.
- Employees using social networking tools as part of their educational instruction will create an educational version that is different from their personal version (if applicable). Before establishing any social media for classroom instructional use, employees will familiarize themselves with the features of any account they choose to use especially privacy settings for students. Employees will urge students to do the same to maintain privacy.
- Employees must always adhere to student privacy rights and the rights of other staff members to have their personal, personnel and medical information kept confidential. (FERPA/Massachusetts Student Records regulations, Massachusetts Privacy Law).
- Employees are encouraged to share their use of social media with their building Principal, building administrator, direct supervisor and colleagues as well as parents/guardians of their students.
- Depending on the social media used in the school environment, parents may or may not be given access to view the material, as reasonably deemed appropriate.
- Employees are required to report any information found on social media that falls under the mandated reporting laws and regulations or the HPS Anti-Bullying Policy, or that would raise any health, safety or welfare concern regarding a student to the Principal, building administrator or direct supervisor consistent with HPS policy and state and federal laws, in addition to complying with state and federal law including M. G.L. c. 119, Section 51A.
- Employees will develop reasonable student classroom expectations in using social media.
- Staff personal use of social media during the school day shall be restricted to authorized breaks or unassigned periods only and shall not be accessed during classroom instructional time.
- Student access to classroom social media accounts will be suspended or disabled from July 1 through the start of the new school year except where social media may be used in summer educational programs.
- Employees are advised to use caution and good judgment when:
 - engaging any current Hudson student in social media as defined by this policy that does not serve/further educational purposes or HPS sanctioned activities.
 - engaging former students in any form of social media.
 - giving HPS students their personal phone number(s) and should only give this personal information when it furthers educational purposes or supports HPS sanctioned activities.

Discipline

Inappropriate use of social media will be investigated by the HPS, and an employee who violates this policy may be disciplined up to and including termination, if warranted.

HPS disclaims all liability for the content of material that employees' access on social media, for damages suffered in the course of or as a result of social media use by employees, and for any related consequences. HPS shall not be responsible for any unauthorized use of HPS's network, including any unauthorized costs, financial obligations, fees, charges, or purchases.

Approved by the Hudson School Committee: March 25, 2014



HPS STAFF CYBERSECURITY GUIDELINES

It is the responsibility of all staff members to protect the District from outside threats that could impact the safety of our data and technology resources. The District relies on technology to collect, store and manage information and opens the District to severe security breaches. Security breaches could cause great financial damage and may jeopardize the District's reputation. The HPS Staff Cybersecurity Guidelines details a number of security measures that must be implemented and followed by all employees, contractors, volunteers, and anyone who has permanent or temporary access to our systems and hardware. The guidelines are outlined below:

1. Any individual who is assigned a district issued device is strictly prohibited from using personal devices to access student and/or staff confidential information.
2. Employees may use personal cell phones to access our district email system. However, personal cell phones cannot be used to access software systems that hold personal identifiable information for staff and students.
3. Staff and student personal identifiable information is confidential and you are obliged to protect this data.
4. District issued technology equipment (staff laptops, chromebooks, tablets) cannot be left in an unsecured location. Turn off screens and lock devices when leaving your desk. Never leave a program open if it contains personal identifiable information for staff and students.
5. All staff are expected to install security updates for browsers and operating systems monthly or as soon as updates are available unless you are advised differently from the Technology Office.
6. Employees must follow the recommended protocols for passwords and will be required to change their network passwords at least one time per year. You should refrain from writing down passwords and storing them in an easily accessible location. Passwords should:
 - a. Be at least eight (8) characters
 - b. Include a capital letter
 - c. Include lowercase letters
 - d. Include at least one number
 - e. Include at least one symbol
7. If your district issued device is lost or stolen, you must report this immediately to the Director of Technology and your building administrator.



8. Open attachments only from known sources. Carefully check links in emails before clicking the link.
9. Refrain from downloading suspicious, unauthorized or illegal software on district issued equipment.
10. Employees will be required to use two factor authentication for Google Workspace, district email, and VPN access.
11. Employees are expected to report perceived attacks, suspicious emails or phishing attempts to the Director of Technology and/or Network Specialist.
12. Staff cannot make general Gmail email accounts for student activities or other educational initiatives. If you need an email account for a club or activity, you must contact the Director of Technology for an email account.
13. When setting up the required two factor authentication applications, your authenticator codes should never be given or shared with others.
14. If you receive an unexpected notification (text message or email) that someone is logging into your Hudson Public Schools' accounts, you should contact the Director of Technology and/or Network Specialist immediately and change your password to the account.

Email & Messaging Security

Beware of Fraud Emails...

- Fraud Emails contain sensational claims and leading headlines that are designed to reel us in as consumers of information
 - Despite the enticing subject headings, the best strategy is to block list, delete, and report to IT department if unsure.
- Spam emails are not always recognizable... watch out for family, friend, colleague names with a suspicious link or offer. **AVOID clicking links.**
- Phishing emails look official, but are attempt at baiting users to give up information, which can include...
 - Messages from an international persona who needs a bank account to transfer money
 - Notices of an unclaimed inheritance
 - Announcements that you've won a cash prize
 - Priority mail deliveries
 - Sudden Password change announcements

The best defense is to recognize, block, and delete phishing emails.

How to identify Fraud Emails...

- ❖ Warnings about your account being shut down
- ❖ A company logo that looks slightly wrong, shrunken, stretched
- ❖ Messages addressed with a generic name instead of your real name
- ❖ Sudden threats of legal action
- ❖ Confirmation of a shipment that you did not order
- ❖ Messages with sudden urgency
- ❖ Poor grammar

Remember,

- ***Never use an unsecure or personal email when communicating sensitive organization information. Never use personal accounts that are not approved by your employer to conduct business.***
- Email's last forever, deleting emails does not get rid of them. Be cautious of how you use email and what you say.
- Email encryption is crucial for safe professional communications

Email Safety

Make email safety a routine practice. Here are a few practices to consider:

- Always be suspect of emails that "don't seem right."
- Don't click on links that you don't trust.
- Use separate business, personal and even junk email accounts to increase your security.
- Keep up on the evolving tactics like phishing and other scams and use common sense.



Password Security Basics

- ❖ Don't Write passwords down
- ❖ Each login identify you have should have unique passwords
- ❖ Use online or offline password management software to catalog various passwords

A strong password should...

- Have a minimum of eight characters
- Contain three or four of: uppercase, lowercase letters, numbers, and symbols.
 - Consider using numbers in lieu of letters in a word (Ex: F00d)

Protection against Malware

Malware describes a variety of malicious software created specifically to access or, in some cases, destroy a computer's information – all without knowledge of the user.

Crimeware is malware that is made to find information on a computer that can be used for illegal activity, or hold the information captive. Targets can include...

- Bank account numbers and passwords
- Social security numbers
- Names and addresses

Social Engineering is an online tactic that leverages people into giving information- over the phone, online, or installation of software. This is known as **pretexting**, which involves a scammer using lies or deception. Learn to vet these tricks, DON'T CLICK LINKS or DOWNLOAD.

Computer Updates and Protection:

- ❖ Make sure your system are current on every update released – use auto-updates.
- ❖ Request your permission for an update/download to run
- ❖ Follow your operating system's configuration guides and security recommendations
- ❖ Allow your browser to run its own updates
- ❖ Use antivirus software protection
- ❖ Be attentive to online behavior- be cautious when opening attachments, links, responding to people you do not know
- ❖ Follow web browser recommendations about phishing websites
- ❖ Close out of a site immediately if you clicked one by accident
- ❖ Don't ever accept offers of "free system scans" from pop ups or emails
- ❖ Back up critical files daily
- ❖ Don't use mapped drives- linking your PC with an online storage through an app
- ❖ Avoid oversharing your information
- ❖ Check your privacy settings

Foundation & Basic Commitments

Section: ACA

NON-DISCRIMINATION ON THE BASIS OF SEX

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

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

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

SOURCE: MASC

LEGAL REFS.: Title IX of the Education Amendments of 1972

45 CFR, Part 86, (Federal Register, 6/4/75)

M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

BESE 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

Approved by the Hudson School Committee – January 9, 2018

Foundation & Basic Commitments

Section: ACE

NON-DISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans with Disabilities Act of 1992 requires that no qualified individual with a disability shall, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Section 504 of the Rehabilitation Act of 1973 provides that:

no otherwise qualified handicapped individual . . . shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Therefore, it is a policy of the Hudson Public Schools that the provisions of Section 504 shall be implemented in all activities and procedures of the school system.

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

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

A request for an accommodation should be made in writing to the Section 504 or ADA Coordinator. Alternative means of filing a request will be made available if needed, such as large print or audiotape. Requests should include the name, address and telephone number of the individual requesting the accommodation, the location where the accommodation is required and why the accommodation is needed. For public meetings and hearings, the Section 504 or ADA Coordinator should be notified at least seventy-two (72) hours in advance.

For students, the Section 504 Coordinator will respond to such a request in accordance with the Hudson Public Schools' Section 504 Policies and Procedures or Special Education Policies and

Procedures. For all other individuals, the Section 504 or ADA Coordinator will respond within two (2) school days of receipt of the request.

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

Auxiliary Aids and Services: "Auxiliary aids and services" includes (1) qualified interpreters on-site or through video remote interpreting (VRI), note takers, real-time computer-aided transcription services, written materials, exchange of written notes, telephone handset amplifiers, assistive listening devices, assisted listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, including real time captioning, voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices, videotext displays, accessible electronic and information technology; and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials and displays, large print materials, screen reader software; magnification software, optical readers, secondary auditory programs (SAP), accessible electronic and information technology or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification: The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that an action would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the Superintendent after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act and their applicability, as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA and Section 504.

Compliance Coordinator: The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA and Section 504,

including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA or Section 504. The District shall make available to all interested individuals the following coordinators:

Jennifer Allard, SHRM-SCP, MSIOP
Title II - ADA Coordinator for the District
Hudson Public Schools
155 Apsley Street
Hudson, MA 01749
Tel: 978.567.6100
Email: jnallard@hudson.k12.ma.us

Cathy Kilcoyne
504 Coordinator
Hudson Public Schools
155 Apsley Street
Hudson, MA 01749
Telephone:
Email: cakilcoyne@hudson.k12.ma.us

The employees so designated shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA or Section 504. The school system receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair; and
2. To the extent possible, qualified disabled persons should be in the mainstream of life in the school community. Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of disability.

Website Accessibility

The Hudson Public Schools is committed to providing all users of their websites, including users with disabilities, with meaningful accessibility in this online environment. The Hudson Public Schools follow standards that are generally based on the standards used by the federal government for technology accessibility for individuals with disabilities and web content accessibility guidelines developed by the World Wide Web Consortium (W3C). The Hudson Public Schools' websites are regularly tested and reviewed by users to verify that the websites are compliant with applicable standards.

If an individual needs assistance in accessing materials, such a request should be made to the ADA Coordinator.

SOURCE: MASC – 7/16

LEGAL REFS.: Rehabilitation Act of 1973, Section 504, as amended

Individuals with Disabilities Education Act

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

Title II, Americans with Disabilities Act of 1992, as amended

603 CMR 28.00

CROSS REFS.: IGB, Support Services Programs

Approved by the Hudson School Committee – January 9, 2018

Update approved by the Hudson School Committee – May 22, 2018

Foundation & Basic Commitments

Section: AC

NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Hudson School Committee and Hudson Public Schools are committed to maintaining an education and work environment for all school community members that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Hudson Public Schools.

Hudson Public Schools does not exclude from participation, deny the benefits of HPS from or otherwise discriminate against, individuals on the basis of race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.
6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Hudson Public Schools requires all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REFS: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)

M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)

CROSS REF: [ACE](#), Non-Discrimination on the Basis of Disability

[ACAB](#), Sexual Harassment

[GBA](#), Equal Employment Opportunity

[IJ](#), Instructional Materials

[JB](#), Equal Educational Opportunities

SOURCE: MASC **December 2021**

Approved by Hudson School Committee – January 9, 2018

Update approved by the Hudson School Committee – May 22, 2018

Update approved by the Hudson School Committee – February 14, 2023

NON-DISCRIMINATION AND ANTI-HARASSMENT PROCEDURES

It is the policy of the Hudson Public Schools to maintain a learning environment that is free from harassment or discrimination of any kind, including sex-based harassment (under state law). Any allegations of sex-based harassment that may fall under the Federal definition of sexual harassment will be addressed through the District's Title IX policy. It is a violation of this policy for any member of the school community to harass or discriminate against another individual as outlined in this policy. Any allegation of harassment or discrimination will be investigated, and, if a violation of this policy is substantiated, disciplinary action will be taken. All reports of harassment or discrimination shall be investigated promptly, impartially and in a manner which will preserve the confidentiality of all concerned to the extent practicable under the circumstances.

Any employee, student or third party who believes that they have experienced harassment or discrimination on the basis of their actual or perceived race, color, creed, ethnicity, religion, national origin, sex/gender, pregnancy or pregnancy-related medical condition, homelessness, disability, sexual orientation, gender identity or age or who has witnessed or learns about the harassment of or discrimination against, another person in the school environment, should inform the principal of the relevant school site or appropriate discrimination/harassment complaint official immediately or as soon as possible. The Hudson Public Schools further does not deny equal access to or a fair opportunity to meet, or discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code as a patriotic society.

Harassment and discrimination is banned not just at school, during school hours, but also before or after school hours on all school property, including the school bus, school functions, or at school events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students or employees to be free from a hostile school environment taking into consideration the totality of the circumstances on and off campus.

Problems and complaints regarding discrimination and harassment should be resolved in a prompt and equitable manner. When possible, such problems and complaints should be resolved in an informal manner.

Definitions

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based upon a person's protected status, such as sex, color, race, sexual orientation, sexual identity, religion, national origin, age, disability, or other legally protected group status.

Sex-based harassment includes both sexual harassment and gender-based harassment.

Sexual harassment under state law consists of unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

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

Sexual harassment may include, but is not limited to:

- unwelcome sexual advances - whether they involve physical touching or not;
- sexual epithets, jokes, written or oral references to sexual conduct, gossip about one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures and cartoons;
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- inquiries into one's sexual experiences; and
- discussion of one's sexual activities.

Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, although they are not necessarily sexual in nature, including harassment based on gender identity and expression. Gender-based harassment includes, but is not limited to, harassment based on the person's nonconformity with gender stereotypes, regardless of the actual or perceived sex, gender identity, or sexual orientation of the harasser or target of the harassment.

Sexual assault is the act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger. Such contact is unwanted when it occurs without the consent of one or both individuals, when one of the individuals is incapacitated or incapable of giving consent, or occurs with the use of force.

Hostile environment is unwelcome conduct that is sufficiently severe, persistent, or pervasive to interfere with or limit one or more students' abilities to participate in or benefit from the education program or creates a threatening, intimidating or abusive environment or sufficiently severe or pervasive so as to alter the conditions of the victim's employment and create an abusive working environment.

Retaliation is any form of intimidation, threatening, coercion or discrimination, directed against a student/staff/third party who reports a sex-based harassment, provides information during, assists in or participates in an investigation of sex-based harassment, or witnesses or has reliable information about sex-based harassment.

Reporting Responsibilities

Everyone in the school community is responsible for immediately reporting incidents of harassment, discrimination and/or retaliation, by anyone, in any form, that are directed at or witnessed by them at school or at a school sponsored event or of which they otherwise learn. Failure to cooperate with an investigation of such an incident will result in disciplinary action. Deceptive reporting may also be subject to a disciplinary response.

An individual may report to either the principal of the relevant school site or appropriate discrimination/harassment complaint official at their discretion. Students may additionally report incidents that they believe involve harassment or discrimination to their guidance counselor, any teacher, administrator or any member of the support staff, and the staff member will refer the complaint to the principal or the discrimination/harassment complaint official. If a School Guidance or Adjustment Counselor, School Nurse, or any member of the teaching staff, is contacted concerning a complaint or possible complaint, they should refer the matter to the principal immediately. Staff who observe conduct which violates this policy are to report the conduct to the principal immediately.

Employees who need help or wish to talk about harassment should contact the school principal, the appropriate discrimination/harassment complaint official, the perpetrator's immediate supervisor or any other school administrator immediately.

If one of the discrimination/harassment complaint officials is the person alleged to be engaged in discrimination/harassment, the complaint may be filed with one of alternate officials or any other school employee the student or employee chooses.

The discrimination/harassment complaint officials for the Hudson Public Schools are the following individuals on a district wide level:

District ADA, Title VI, Title VII, Title IX, Civil Rights and Sexual Harassment Coordinator for adults:

Jennifer Allard, SHRM-SCP, MSIOP
Director of Human Resources
155 Apsley Street
Hudson, MA 01749
Tel: 978.567.6100
Email: jnallard@hudson.k12.ma.us

District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students:

Catherine Kilcoyne
Director of Student Services
155 Apsley Street
Hudson, MA 01749
Tel: 978-567-6100
Email: cakilcoyne@hudson.k12.ma.us

The school principals will serve as the building level coordinators for these categories.

Procedures for Investigating

The procedures set forth in this policy may be invoked even if other appeals and adjudication procedures have been provided by state law or federal law. Retaliation in any form for the filing of a complaint or reporting of harassment or discrimination is prohibited and will result in serious disciplinary action.

When a complaint of harassment or discrimination is received by the District, that allegation will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and to the extent consistent with the law and collective bargaining agreements. The grievance officer or discrimination/harassment complaint official will inform witnesses and others involved in the resolution process of the importance of maintaining confidentiality.

The investigation will include a private interview with the person filing the complaint and with witnesses. The investigation will also include an interview with the person alleged to have committed the harassment or discrimination. Each party will have the opportunity to provide evidence and witnesses.

In certain cases, the harassment of a student may constitute child abuse under state law. The Hudson Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

The specific procedures to be followed in conducting the investigations are set forth more fully below.

1. Any staff member who receives a complaint verbally or in writing concerning harassment or discrimination or observes conduct, which they believe, may constitute harassment or discrimination is required to document the complaint and refer it to the school principal or discrimination/harassment complaint official immediately. Although the Hudson Public Schools encourages a written complaint, use of a formal reporting requirement is not required. Oral reports will be considered complaints as well. The principal or discrimination/harassment complaint official shall ensure that the report is documented in

writing within two (2) school days of receiving the complaint. The principal must send copies to the relevant discrimination/harassment complaint official within two (2) school days.

2. Anyone may use the informal process in order to resolve the complaint, unless the District believes that it is inappropriate.
3. If the alleged victim or the alleged perpetrator chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, they may proceed to the formal procedure. The informal process is completely voluntary and individuals can opt-out at any time.
4. The informal process will be a voluntary conversation between the alleged victim and the alleged perpetrator, which is facilitated by a school employee or by a designated discrimination/harassment complaint official. If the alleged victim or alleged perpetrator is a student under the age of eighteen (18), the facilitator **will** notify the student's parent(s)/guardian(s) if, after initial consultation with the student, it is determined to be in the best interest of the student. If the alleged victim and the alleged perpetrator feel that a resolution has been achieved, then the conversation remains confidential and no further action needs to be taken. The voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment. The results of an informal resolution shall be maintained by the facilitator, in writing.
5. If the alleged victim does not want to deal directly with the alleged perpetrator, or if the matter is not resolved informally, the complainant should immediately notify the school principal or the discrimination/harassment complaint official for formal resolution.
6. For a formal complaint, the alleged victim (or complainant, if not the alleged victim) will be asked to complete the incident form which begins the formal investigation process conducted by the school principal or the discrimination/harassment complaint official. If the alleged victim is not able to complete the form, the principal or discrimination/harassment complaint official will complete it and ask the alleged victim to sign it. If requested, a Guidance / Adjustment Counselor, a School Nurse, or a School Psychologist may assist a student in completing the incident form.
7. During the investigation, the school principal or discrimination/harassment complaint official will:
 - Keep the investigation group as small as possible to protect the rights of all parties and to prevent the investigation from becoming overly publicized and to protect the alleged victim (in addition to the complainant, if not the alleged victim) from retaliation.
 - Complete the investigation as soon as possible from the date that it is reported, but no later than thirty (30) school days from the date of the complaint or report, unless impracticable. The investigation will include interviewing the complainant, the alleged

victim (if different than the complainant), the alleged perpetrator and such other person(s) named by the complainant, alleged victim (if different than the complainant), or the alleged perpetrator who may have witnessed or have information pertaining to the incident. An opportunity will be provided for all parties to be heard and present witnesses.

- Throughout the investigation the District will maintain on-going contact with the alleged victim and the alleged aggressor. In determining whether the alleged conduct constitutes a violation of this policy, the school principal or discrimination/harassment complaint official shall consider the age and level of understanding of the student(s) involved, surrounding circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of the District's policy prohibiting discrimination or harassment based on the actual or perceived protected class status of a student, employee or third party, requires a determination based on all of the facts and surrounding circumstances. Given that victims often experience continuing effects of harassment in the educational setting, during the investigative process the District will consider off-campus conduct to determine whether there is a hostile environment on campus.
- 8. After completing the investigation, the school principal or discrimination/harassment complaint official will conclude whether a violation of the policy has occurred or not; complete the written investigation report form and send copies of the report to the discrimination/harassment complaint official, if the school principal is conducting the investigation, the alleged victim (or their parents if they are under 18) and the alleged perpetrator (or their parents if they are under 18). The report shall include:
 - a statement of the allegations investigated;
 - a summary of the steps taken to investigate the allegations;
 - the findings of fact based on a preponderance of the evidence gathered;
 - the District's conclusion of whether discrimination or harassment did or did not occur;
 - the disposition of the complaint;
 - the rationale for the disposition of the complaint; and
 - if the District concluded discrimination or harassment occurred, a description of the District's response.

The school principal or the discrimination/harassment complaint official shall determine whether the allegations have been substantiated as factual and whether they appear to be violations of this policy, using a preponderance of the evidence standard. A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred.

If the complaint is supported, the report should recommend what action, if any, is required and will identify what steps the District is going to take to prevent recurrence of any discrimination

or harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

9. Formal disciplinary actions shall be imposed in the event that the preponderance of the evidence indicates that the alleged conduct occurred. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement. The seriousness of the offense, including the nature and degree of harm caused, shall be considered when deciding the appropriate disciplinary action.
 - If the person alleged to have violated this policy is a staff member, possible discipline includes, but is not limited to, letters of reprimand, reassignment, and other disciplinary actions, including suspension or job termination.
 - If the person alleged to have violated this policy is a student, possible discipline includes reprimand, classes or instruction on appropriate behavior, counseling, class transfer, detention, suspension or expulsion, consistent with the Student Code of Conduct.
 - Any discipline of students will focus on changing behavior and ensuring that students learn about the impact of their behaviors and attitudes. Possible remedial action includes:
 - o Interventions for the alleged victim, such as counseling, academic support, health services, assigning an escort to allow the student to move safely between classes, and instruction on how to report other incidents of harassment or discrimination.
 - o Training or other interventions for the larger school community to ensure that students, staff and parents understand the types of behavior that constitute harassment or discrimination, and how to report it.
 - o Interventions for the individual who engaged in the conduct, such as parent notification, counseling, guidance, education about the impact of the conduct, positive behavior support, referral to a student success team, transfer to alternative programs, denial of participation in extracurricular or co-curricular activities or other privileges, and discipline.
 - If it is established that the conduct involves a violation of law, report the matter immediately to the appropriate law enforcement authorities.

Interim Measures

The Hudson Public Schools shall take immediate steps to protect the alleged victim, alleged perpetrator, witnesses, and the larger school community pending the completion of an investigation or the informal process and address any ongoing harassment or discrimination. The District will take interim measures to prevent retaliation against the alleged victim and alleged aggressor.

Examples of interim measures include, but are not limited to:

- Providing counseling services via the school adjustment counselor and/or school psychologist for both the alleged victim and the alleged perpetrator;
- Providing academic support services;
- Ensuring no contact between the alleged victim and alleged perpetrator in District programs and activities (e.g., through stay away orders); the District will take care to minimize the burden of such steps on the alleged victim;
- Providing an alternate schedule to ensure that the alleged victim and alleged perpetrator do not attend the same classes;
- Informing the alleged victim of how to report any recurring conduct or retaliation;
- Providing the alleged victim or alleged aggressor with alternative movement between classes and activities; and
- Making community based referral to medical and counseling services.

In the case of alleged sexual assault, the school principal or the discrimination/harassment complaint official will take additional steps as necessary to ensure the alleged victim is safe. This may include, for example, referring the student to a rape crisis center, creating a safety plan and designating an individual at the site level to act as a support person during the investigation. If the circumstances suggest a threat to others, the school principal or the discrimination/harassment complaint official will ensure that the District informs relevant members of the school community. This may include, for example, notifying parents and employees, if a student is sexually assaulted on the way home from school, or notifying employees of areas where harassment or discrimination frequently occurs.

Referral to Law Enforcement and Other Agencies

Some alleged conduct may constitute both a violation of District policies and criminal activity. The school principal or the discrimination/harassment complaint official will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant of the right to file a criminal complaint.

The school principal or the discrimination/harassment complaint official will follow this procedure regardless of whether the alleged conduct is also being investigated by another agency, unless the fact-finding process would impede a law enforcement investigation. In such cases, the school principal or the discrimination/harassment complaint official will determine whether interim measures to protect the well-being of the complainant and the school community and prevent retaliation are needed while the law enforcement agency's fact-gathering is in progress. Once notified that law enforcement has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school principal or the discrimination/harassment complaint official will promptly resume and complete the investigation.

Additionally, several behaviors listed as sexual harassment may also constitute physical or sexual abuse. Sexual abuse is defined as any act or acts by any persons involving sexual molestation or exploitation of a child, including, but not limited to incest, prostitution, rape, sodomy, or any lewd or lascivious conduct involving a child. Thus, under certain circumstances, alleged harassment may also constitute physical and/or sexual abuse under Massachusetts law. Such harassment or abuse is subject to the duties of mandatory reporting and must be reported to the Department of Children and Families within twenty-four (24) hours of the time the educator becomes aware of the suspected abuse. All school personnel are identified as being mandatory reporters.

Conflict of Interest

If there is a conflict of interest with respect to any party affected by this policy, appropriate accommodations will be made, such as, but not limited to, appointing or contracting with a neutral third-party investigator to conduct the investigation, or recusing from the process the person for whom a conflict or potential conflict of interest exists.

Retaliation

Retaliation in any form for the filing of a complaint, the reporting of discrimination, including harassment, or participating in an investigation is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. If retaliation is established, it can be considered grounds for disciplinary action. Any allegations of reprisal will be subject to the same kind of investigation and disciplinary action as described above. The school principal or the discrimination/harassment complaint official will inform all involved individuals that retaliation is prohibited, and that anyone who feels they have experienced harassment, coercion, intimidation, or discrimination for filing a complaint or participating in the resolution process should inform the school principal or the discrimination/harassment complaint official.

Right to Alternative Complaint Procedures

In addition to the remedies set forth above, if you believe you have been subjected to harassment or discrimination, you may file a formal complaint with the government agency or agencies set forth below. Using the District complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim.

A. Students

If you believe you have been subjected to harassment or discrimination, you may file a formal complaint with:

Massachusetts Department of Elementary and Secondary Education
Program Quality Assurance Services
75 Pleasant Street, Malden, MA 02148-4906

Phone: (781) 338-3700

FAX: (781) 338-3710

Email: compliance@doe.mass.edu

The time period for filing a claim is one year from the action.

United States Department of Education

Office for Civil Rights("OCR")

5 Post Office Square

Boston, MA 02109

tel. (617) 289-0111

The time period for filing a claim with the United States Department of Education Office for Civil Rights is 180 days.

B. Employees

If you believe you have been subjected to harassment or discrimination, you may file a formal complaint with either or both of the government agencies set forth below:

1. United States Equal Employment

Opportunity Commission ("EEOC")

JFK Federal Building, Room 475

Boston, MA 02203

tel. (800) 669-4000

The time period for filing a claim with the EEOC is 180 days.

2. Massachusetts Commission

Against Discrimination ("MCAD")

Boston Office

One Ashburton Place, Rm. 601

Boston, MA 02108

(617) 994-6000

Springfield Office

436 Dwight Street, Rm. 220

Springfield, MA 01103

(413) 739-2145

The time period for filing a claim with the MCAD is 300 days.

Approved by Hudson School Committee – February 14, 2023

Foundation & Basic Commitments

Section: ACAB

SEXUAL HARASSMENT

The Hudson School Committee and Hudson Public Schools are committed to maintaining an education and work environment for all school community members that is free from all forms of harassment, including sexual harassment. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Hudson Public Schools.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;

- Inquiries into one’s sexual experiences; and,
- Discussion of one’s sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment including sexual harassment, and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school’s education program or activity, with or without a formal complaint. Where

there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) The clear and convincing evidence or preponderance of the evidence, subject to limitations;
- 4) The opportunity to test the credibility of parties and witnesses through cross examination, subject to "rape shield" protections;
- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and

will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Hudson School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

The District's Title IX Coordinator:
Catherine Kilcoyne
Director of Student Services
155 Apsley Street
Hudson, MA 01749
Tel: 978-567-6100
Email: cakilcoyne@hudson.k12.ma.us

Complaints may be sent to:
Jennifer Allard, SHRM-SCP, MSIOP
Director of Human Resources
155 Apsley Street
Hudson, MA 01749
Tel: 978.567.6100
Email: jnallard@hudson.k12.ma.us

Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601
Boston, MA 02108.
Phone: 617-994-6000.
- Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02109.

Phone: 617-289-0111.

- The United States Equal Employment Opportunity Commission,
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203.

LEGAL REF.: M.G.L. 151B:3A

Title IX of the Education Amendments of 1972

BESE 603 CMR 26:00

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.

SOURCE: MASC December 2021

Approved by the Hudson School Committee – January 9, 2018

Updated by the Hudson School Committee – February 14, 2023

SEXUAL HARASSMENT/TITLE IX PROCEDURES

Definitions

Under state law, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
- Such conduct interferes with an individual's job duties; or
- The conduct creates an intimidating, hostile or offensive work environment.

Under Federal law, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct ("quid pro quo harassment");
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity ("hostile environment harassment"); or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)

The District will promptly investigate all allegations of sexual harassment of which it has actual knowledge and which are alleged to occur in the school's programs and activities, including locations, events, and/ or circumstances in which the school district exercises substantial control, in a way that is not deliberately indifferent.

The following additional definitions apply:

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee of the district, except that this standard is not met when the only official of the district with actual knowledge is the respondent (where the respondent is an employee). Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. Complaints will be addressed whenever the district has actual knowledge of the allegation.

"Administrative leave" means placing an employee on leave pursuant to state law. Nothing in the Title IX regulations precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process, provided that Massachusetts laws are followed.

“Consent” means cooperation in act or attitude pursuant to an exercise of free will of a conscious person with informed knowledge of the nature of the act or actions. A current or previous relationship shall not be sufficient to constitute consent. Consent will not be found when submission to the act or actions is undertaken due the influence of fear, fraud, forcible compulsion, threats, and/ or the complainant possessed any legal incapacity to consent at the time of the act or actions. Consent is a defense to all types of sexual harassment.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Deliberate indifference” means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

“Emergency removal” means the suspension or expulsion of a student on an emergency basis, consistent with state law. Nothing in the Title IX regulations precludes a district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district follows all procedures under Massachusetts law, undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the district investigate the allegation of sexual harassment.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures

Complaints and Reports of Sexual Harassment

Upon receiving actual notice of alleged sexual harassment without a formal complaint, staff

members must notify the Title IX Coordinator. The Title IX Coordinator must then contact the complainant within five school days of receiving the complaint and do the following:

- Discuss and offer supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Explain that supportive measures may be received with or without filing a formal complaint;
- Determine whether the complainant wishes to file a formal complaint; and
- Explain to the complainant the purpose of filing a formal complaint.

The Title IX Coordinator must document in writing the supportive measures offered/provided or why no supportive measures were offered/provided. Complainant and respondents must be offered supportive measures even if they do not file a formal complaint.

If the complainant declines to file a formal complaint, the Title IX Coordinator must consider whether to sign a formal complaint and start an investigation despite the complainant's preferences. This decision may be appropriate when safety or similar concerns lead the district to conclude that a non-deliberately indifferent response to actual knowledge of Title IX sexual harassment could reasonably require the school district to investigate and potentially sanction a respondent. A Title IX Coordinator's decision to override the complainant's decision not to file a formal complaint must be documented in writing along with an explanation of why this decision was necessary in order to avoid deliberate indifference.

Formal complaints may also be filed directly with the Title IX Coordinator by a complainant in person, by mail, by email, or by telephone at any time, including during non-business hours. The contact information for the Title IX Coordinator is:

District ADA, Title VI, Title VII, Title IX, Civil Rights and Sexual Harassment Coordinator for adults:

Jennifer Allard, SHRM-SCP, MSIOP
Director of Human Resources
155 Apsley Street
Hudson, MA 01749
Tel: 978.567.6100
Email: jnallard@hudson.k12.ma.us

District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students:

Catherine Kilcoyne
Director of Student Services
155 Apsley Street
Hudson, MA 01749
Tel: 978-567-6100
Email: cakilcoyne@hudson.k12.ma.us

The complaint may be written by the complainant, or it will be reduced to writing by either the school employee who receives the complaint, the building Principal, or the Title IX Coordinator. Whether the complaint is reduced to writing by a student, parent, or staff member, the written complaint should include the name of the complainant, the name of the alleged victim (if different), the name of the respondent, the location of the school/department where the alleged discriminatory action occurred, the basis for the complaint, witnesses (if any), and the corrective action the complainant is seeking. This information will be made on or transferred to a discrimination/ harassment complaint form maintained by the District.

There is no time limit or statute of limitation on timing to file a formal complaint. However, at the time of filing a formal complaint, an alleged victim must be participating or attempting to participate in a program or activity of the school district. Additionally, the district has discretion to dismiss a formal complaint where the passage of time would result in the district's inability to gather evidence sufficient to reach a determination regarding responsibility, or when the district loses responsibility for the respondent (e.g., the respondent no longer attends or is employed by the district).

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the school district's education program or activity, or did not occur against a person in the United States, then the school district must dismiss the formal complaint under these procedures, but could investigate it under other policies and procedures. The school district must send written notice of any dismissal.

Investigations to allegations of sexual harassment will be prompt and the formal process will be completed within a sixty day timeframe where feasible. There may be a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Written Notice

Before any investigation can begin, the district must send written notice to both parties including sufficient details. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties that the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If additional allegations are added during the course of the investigation, additional written

notice must be provided.

Informal Resolution

Where appropriate, after notice has been issued, the Title IX Coordinator should also consider offering the parties an option for informal resolution (e.g., mediation). Informal resolution may only be offered after a formal complaint is filed, and the parties must give written consent to engage in this process. Informal resolution may not be used if the allegation is against an employee respondent. Facilitators of informal resolution will be designated by the Title IX Coordinator and must not be biased against any of the parties.

Informal resolution is entirely voluntary. Complainants may elect to pursue formal procedures at any step in the process of making their complaint, even if informal resolution has already begun. Similarly, respondents may elect to follow formal procedures and decline informal resolution.

If the complainant and the respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be taken. This voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

If the complainant is not satisfied with the resolution from the informal process, or if they do not choose informal resolution, then they can begin the formal complaint procedure described below.

Investigation

If informal resolution is not offered to or accepted by the parties, the Title IX Coordinator will designate an investigator and a decision maker, who may not be the same person. The Title IX Coordinator is free to cast themselves as investigator, where appropriate.

The investigator must not be biased against any of the parties at the outset of the investigation. The investigator will be responsible for interviewing parties and witnesses, finding facts, and making determinations related to credibility, all of which will go into a written report. The investigator must avoid all questions that are protected by legal privilege, unless the privilege has been waived, and should avoid asking about the complainant's sexual history unless it is directly relevant to prove consent to the conduct at issue or to prove that the conduct was committed by someone other than the respondent.

Prior to completion of the investigative report, the school district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator must avoid making any final determinations of responsibility for sexual harassment.

Findings should be written in a factual way in an investigative report. Credibility determinations

may not be based on an individual's status as complainant, witness, or respondent.

During the investigative process and any further hearings, complainants and respondents have a right to have advisors of their choice participate in all aspects of the proceedings. The district will provide both parties with written notice of investigative interviews, meetings, and hearings, with sufficient time to prepare.

Findings of Responsibility

After the investigator has completed the investigation, the designated decision-maker will be assigned to determine final responsibility or lack thereof for violating Title IX. The decision-maker must not be biased against any of the parties at the outset of this process.

Before the district can determine responsibility, an investigative report will be sent to the parties and the decision-maker will offer both the complainant and respondent the opportunity to submit proposed relevant, written questions to ask of any party or witness, to respond to questions posed by another party, and to offer additional limited follow-up. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

After this process is complete, the decision-maker will create a written determination regarding whether sexual harassment has occurred using a preponderance of the evidence standard.

A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred. The decision-maker shall further recommend what action, if any, is required. If it is determined that sexual harassment occurred, the District will take steps to prevent the recurrence of the harassment and correct its discriminatory effect on the complainant and others if appropriate. Such remedies may include supportive measures.

The written determination must be issued to both parties simultaneously and must include:

- (A) Identification of the allegations potentially constituting sexual harassment;
- (B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- (C) Findings of fact supporting the determination;
- (D) Conclusions regarding the application of the recipient's code of conduct to the facts;
- (E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- (F) The district's procedures and permissible bases for the complainant and respondent to appeal (a copy of, or direct reference to, this policy will suffice).

Formal disciplinary actions may be imposed in the event that the preponderance of the evidence indicates a violation of this policy, up to and including expulsion or termination. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.

As indicated above, these procedures do not limit the District from removing a student or employee from a program or activity on an emergency basis based on immediate threats to people's physical health or safety or placing an employee on administrative leave during the pendency of the investigation.

Records

A record will be maintained for a period of seven years of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment and district staff will document the basis for the district's conclusion that its response was not deliberately indifferent.

Training

The district will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The district will ensure that decision-makers receive training on any technology to be used in interviews and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant,.

The district also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

These training materials will be posted on the school district's website.

Appeals

Any party may appeal the decision in writing to the Superintendent within fifteen (15) school days of receipt of the findings of the formal procedure or a dismissal on the following bases:

(A) Procedural irregularity that affected the outcome of the matter;

(B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

(C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The school district will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Superintendent or designee, as a further impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.

Contact information for the Superintendent:

Dr. Marco C. Rodrigues
155 Apsley Street
Hudson, MA 01749
Tel: (987) 567-6100
Email: mcrodrigues@hudson.k12.ma.us

External Grievance Procedure

Any student, parent or employee who chooses not to use the District's internal grievance procedures or who is not satisfied with the District's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.

For complaints related to discrimination/harassment of students:

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone 617-994-6000, TTY: 617-994-6196

For complaints related to discrimination/harassment of parents:

The Office for Civil Rights, US Department of Education

5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

For complaints related to discrimination/harassment of employees:
The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone 617-994-6000, TTY: 617-994-6196

OR

The Equal Employment Opportunities Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000

Referral to Law Enforcement, Other Agencies

Some alleged conduct may constitute both a violation of District policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant/ alleged victim of the right to file a criminal complaint.

Retaliation

Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and District policy. The coordinator or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels that they have experienced retaliation for filing a complaint or participating in the resolution process should inform the coordinator. The coordinator will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.

Approved by Hudson School Committee – February 14, 2023

Personnel

Section: GBGE

DOMESTIC VIOLENCE LEAVE POLICY

It shall be the policy of the school district to permit an employee to take up to 15 days of domestic violence leave from work in any 12-month period. In order to be eligible for said leave:

- (i) the employee, or a family member of the employee must be a victim of abusive behavior;
- (ii) the employee must be using the leave from work to seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
- (iii) the employee must not be the perpetrator of the abusive behavior against such employee's family member.

The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement.

Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required. If such imminent danger exists, the employee shall notify the employer within 3 workdays that the leave was taken. The notification may be communicated to the employer by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior. If an unscheduled absence occurs, an employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) below. An employer may require documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave is consistent with clauses (i) to (iii) as above referenced; provided, however, that an employer shall not require an employee to show evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. The documentation shall be provided to the employer within a reasonable period after the employer requests it.

An employee shall satisfy this documentation requirement by providing anyone of the following documents to the employer:

- (1) a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;

- (2) a document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;
- (3) A police report or statement of a victim or witness provided to police documenting the abusive behavior;
- (4) documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt; or has been convicted of, or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;
- (5) medical documentation of treatment as a result of the abusive behavior;
- (6) a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, , shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior;
- (7) a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

- (i) requested or consented to, in writing, by the employee;
- (ii) ordered to be released by a court of competent jurisdiction;
- (iii) otherwise required by applicable federal or state law;
- (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
- (v) necessary to protect the safety of the employee or others employed at the workplace.

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the district's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employees signature acknowledging receipt of the handbook/notice. The Superintendent shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that they deem appropriate.

No employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, they shall be entitled to restoration to the employee's original job or to an equivalent position. Definitions of



'abuse', "abusive behavior", "domestic violence", "employees" and "family members" may be found in the laws referenced below.

SOURCE: MASC October 2014

LEGAL REF.: M.G.L. 149:52E; Section 10

Chapter 260 of the Acts of 2014

NOTE: The School Committee should seek the advice of counsel, deliberate, and determine whether or not to change the following language in the first paragraph as the School Committee, in consultation with the Superintendent, may choose to 1) make this type of leave paid or unpaid, and 2) make an employee exhaust other leave options or not:

"The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement."

Additionally, the statute does not require that employers with less than 50 employees provide this leave.

Approved by the Hudson School Committee – December 4, 2018

BULLYING PREVENTION

The School Committee is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

“Bullying” 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 target that:

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to themselves, or of damage to their property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents/guardians and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the school district;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or their designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.



A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school Principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality will be in accordance with the Massachusetts Student Records Regulations, 603 CMR 23.00, and the Federal Family Educational Rights and Privacy Act Regulations, 34 CFR Part 99, and as set forth in 603 CMR 49.07. If the school Principal or a designee determines that bullying has occurred they shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal may consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency may be notified.

The investigation shall be completed promptly. The parents or guardians shall be notified promptly consistent with state and federal law; provided, that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying, shall be prohibited.

Target Assistance

The school district shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the school district website.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Title IX of the Education Amendments of 1972
603 CMR [26:00](#)
M.G.L. [71:37O](#); [265:43](#), [43A](#); [268:13B](#); [269:14A](#)

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

CROSS REFS.: [AC](#), Nondiscrimination
[ACAB](#), Sexual Harassment
JBA, Student-to-Student Harassment
[JIC](#), Student Discipline
[JICFA](#), Prohibition of Hazing

SOURCE: MASC August 2013

Adopted by Hudson School Committee: January 21, 2020

PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

When an emergency situation arises, and physical restraint is necessary because a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. A teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603CMR [46.02](#).

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

Physical restraint, including prone restraint where permitted under 603 CMR [46.03](#), shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

- The Superintendent will develop procedures identifying:
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements; including, but not limited to making reasonable efforts to orally notify a parent/guardian of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents/guardians in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- •A procedure for conducting periodic review of data and documentation on the use of physical restraints;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00,
- A process for obtaining Principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting; The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint".

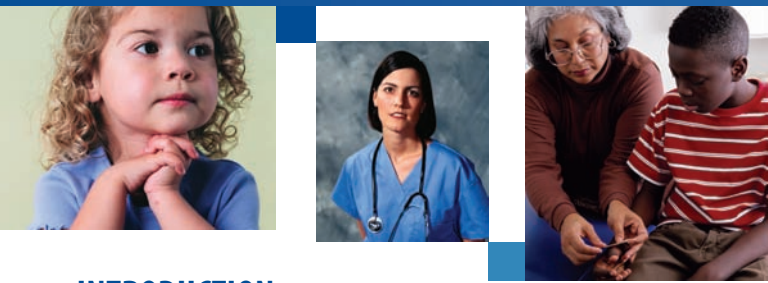
This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents/guardians of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

SOURCE: MASC

ADOPTED: August 2015

LEGAL REF.: M.G.L. [71:37G](#); 603 CMR [46.00](#)

Adopted by Hudson School Committee: January 21, 2020



INTRODUCTION

Under Massachusetts law, the Department of Children and Families (DCF) is the state agency that receives all reports of suspected abuse and/or neglect of children under the age of 18. State law requires professionals whose work brings them in contact with children to notify DCF if they suspect that a child is being abused and/or neglected. DCF depends on reports from professionals and other concerned individuals to learn about children who may need protection, more than 75,000 reports are received on behalf of children each year. The Department is responsible for protecting children from abuse and/or neglect. DCF seeks to ensure that each child has a safe, nurturing, permanent home. The Department also provides a range of services to support and strengthen families with children at risk of abuse and/or neglect.

Who is a mandated reporter?

Massachusetts law defines the following professionals as mandated reporters:

- Physicians, medical interns, hospital personnel engaged in the examination, care or treatment of persons, medical examiners;
- Emergency medical technicians, dentists, nurses, chiropractors, podiatrists, optometrists, osteopaths;
- Public or private school teachers, educational administrators, guidance or family counselors;
- Early education, preschool, child care or after school program staff, including any person paid to care for, or work with, a child in any public or private facility, home or program funded or licensed by the Commonwealth, which provides child care or residential services. This includes child care resource and referral agencies, as well as voucher management agencies, family child care and child care food programs;
- Child care licensors, such as staff from the Department of Early Education and Care;
- Social workers, foster parents, probation officers, clerks magistrate of the district courts, and parole officers;
- Firefighters and police officers;
- School attendance officers, allied mental health and licensed human services professionals;
- Psychiatrists, psychologists and clinical social workers, drug and alcoholism counselors;
- Clergy members, including ordained or licensed leaders of any church or religious body, persons performing official duties on behalf of a church or religious body, or persons employed by a religious body to supervise, educate, coach, train or counsel a child on a regular basis; and,
- The Child Advocate.

As a mandated reporter, what are my responsibilities?

Massachusetts law requires mandated reporters to immediately make an oral report to DCF when, in their professional capacity, they have reasonable cause to believe that a child under the age of 18 years is suffering from abuse and/or neglect. A written report is to be submitted within 48 hours.

In addition to filing with the Department a mandated reporter may notify local law enforcement or the Office of the Child Advocate of any suspected abuse and/or neglect. You should report any physical or emotional injury resulting from abuse; any indication of neglect, including malnutrition; any instance in which a child is determined to be physically dependent upon an addictive drug at birth; any suspicion of child sexual exploitation or human trafficking; or death as a result of abuse and/or neglect. In addition, you must report a death as a result of abuse and/or neglect to the local District Attorney and to the Office of the Chief Medical Examiner. Mandated Reporters who are staff members of medical or other public or private institutions, schools or facilities, must either notify the Department directly or notify the person in charge of the institution, school or facility, or his/her designee, who then becomes responsible for filing the report. Should the person in charge/ designee advise against filing, the staff member retains the right to contact DCF directly and to notify the local police or the Office of the Child Advocate. (Ch. 119, § 51A) Under the law, mandated reporters are protected from liability in any civil or criminal action and from any discriminatory or retaliatory actions by an employer. The written report must be submitted to DCF within 48 hours after the oral report has been made.

Any profession defined by law as a mandated reporter, is required to assist in a 51B investigation or initial assessment, even if they are not the filer of the 51A report. Mandated reporters who are licensed by the Commonwealth are required to complete training to recognize and report suspected child abuse and/or neglect.

What if I fail to report?

Any mandated reporter who fails to make required oral and written reports can be punished by a fine of up to \$1,000. Any mandated reporter who willfully fails to report child abuse and/or neglect that resulted in serious bodily injury or death can be punished by a fine of up to \$5,000 and up to 2½ years in jail, and be reported to the person's professional licensing authority.

All mandated reporters who knowingly and willfully file a frivolous report of child abuse and/or neglect can be punished by a fine of up to \$2,000 for the first offense, up to 6 months in jail for a second offense, and up to 2½ years in jail for a third offense.

How do I make a report of suspected child abuse and/or neglect? When must I file?

When you suspect that a child is being abused and/or neglected, you should immediately telephone the local DCF Area Office and ask for the Screening Unit. You will find a directory of the DCF Area Offices at the end of this Guide and on the DCF web site. Offices are staffed between 9 am and 5 pm weekdays. To make a report at any other time, including after 5 pm and on weekends and holidays, please call the **Child-At-Risk Hotline at 800-792-5200.**

As a mandated reporter you are also required by law to mail or fax a written report to the Department within 48 hours after making the oral report. The form for filing this report can be obtained from a local DCF Area Office or from the DCF website: www.mass.gov/dcf

Your report should include:

- Your name, address and telephone number;
- All identifying information you have about the child and parent or other caretaker, if known;
- The nature and extent of the suspected abuse and/or neglect, including any evidence or knowledge of prior injury, abuse, maltreatment, or neglect; The identity of the person you believe is responsible for the abuse and/or neglect;
- The circumstances under which you first became aware of the child's injuries, abuse, maltreatment or neglect;
- What action, if any, has been taken thus far to treat, shelter, or otherwise assist the child;
- Any other information you believe might be helpful in establishing the cause of the injury and/or person responsible; Any information that could be helpful to DCF staff in making safe contact with an adult victim in situations of domestic violence (e.g., work schedules, place of employment, daily routines); and
- Any other information you believe would be helpful in ensuring the child's safety and/or supporting the family to address the abuse and/or neglect concerns.

Hospital personnel should take photographs of any trauma that is visible on the child and mail or deliver the photographs to DCF with the written report. If you work in a hospital and collect physical evidence of abuse and/or neglect of a child, you must immediately notify the local District Attorney, local law enforcement authorities and the Department. We recommend that you inform the family that you have referred them to DCF for help, but do not do so if you think it would increase the risk to the child.

How does DCF define abuse and neglect?

Under the Department of Children and Families regulations (110 CMR, section 2.00):

Abuse means: The non-accidental commission of any act by a caretaker upon a child under age 18 which causes, or creates a substantial risk of, physical or emotional injury; or an act by a caretaker involving a child that constitutes a sexual offense under the laws of the Commonwealth; or any sexual contact between a caretaker and a child under the care of that individual. This definition is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting).

Neglect means: Failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition. This definition is not dependent upon location (i.e., neglect can occur while the child is in an out-of-home or in-home setting).



Physical Injury means: Death; or fracture of a bone, a subdural hematoma, burns, impairment of any organ, and any other such nontrivial injury; or soft tissue swelling or skin bruising, depending upon such factors as the child's age, circumstances under which the injury occurred and the number and location of bruises; or addiction to a drug or drugs at birth; or failure to thrive.

Emotional Injury means: An impairment to or disorder of the intellectual or psychological capacity of a child as evidenced by observable and substantial reduction in the child's ability to function within a normal range of performance and behavior.

Who is a caretaker?

A "caretaker" can be a child's parent, step-parent, guardian, or any household member entrusted with the responsibility for a child's health or welfare. In addition, many other person entrusted with the responsibility for a child's health or welfare, both in and out of the child's home, regardless of age, is considered a caretaker. Examples may include: relatives from outside the home, teachers or staff in a school setting, workers at an early education, child care or afterschool program, a babysitter, foster parents, staff at a group care facility, or persons charged with caring for children in any other comparable setting.

When should a report involving domestic violence be filed?

Domestic violence is defined as a pattern of coercive controlling behaviors that one person exercises over another in an intimate relationship. Not every situation involving domestic violence merits intervention by DCF. Mandated reporters are encouraged to carefully review each family's situation and to identify any specific impact on the child(ren) when considering whether or not to file a 51A report with DCF. In some cases a report may actually create additional risks for the caretaker and the children. If possible, discuss the filing of a report with the caretaker first and address the potential need for safety planning. A report is more likely necessary if the following higher risk circumstances are current concerns:

- The alleged perpetrator threatened to kill the caretaker, children or self and the caretaker fears for their safety;
- The alleged perpetrator physically injured the child in an incident where the caretaker was the target;
- The alleged perpetrator coerced the child to participate in or witness the abuse of a caretaker;
- The alleged perpetrator used or threatened to use a weapon, and the caretaker believes that the perpetrator intended or has the ability to cause harm.

For more information on this topic please refer to the DCF Brochure, Promising Approaches: Working with Families, Child Welfare and Domestic Violence. This brochure is available on the DCF website and from a local DCF Area Office.

What happens when DCF receives a report of child abuse and/or neglect?

When DCF receives a report of abuse and/or neglect, called a "51A report," from either a mandated reporter or another concerned citizen, DCF is required to evaluate the allegations and determine the safety of the children. During DCF's response process, all mandated reporters are required to answer the Department's questions and provide information to assist in determining whether a child is being abused and/or neglected and in assessing the child's safety in the household.

Here are the steps in the Child Protective Services (CPS) process:

1. The report is screened. The purpose of the screening process is to gather sufficient information to determine whether the allegation meets the Department's criteria for suspected abuse and/or neglect, whether there is immediate danger to the safety of a child, whether DCF involvement is warranted and how best to target the Department's initial response. The Department begins its screening process immediately upon receipt of a report. During the screening process DCF obtains information from the person filing the report and also contacts professionals involved with the family, such as doctors or teachers who may be able to provide information about the child's condition. DCF may also contact the family if appropriate.

2. If the report is "Screened-In", it is assigned either for a Child Protective Services (CPS) Investigation or Assessment Response:

- **CPS Investigation Response:** Generally, cases of sexual or serious physical abuse, or severe neglect will be assigned to the CPS Investigation Response. The severity of the situation will dictate whether it requires an emergency or non-emergency investigation. The primary purpose of the Investigation Response is to determine the current safety and the potential risk to the reported child, the validity of an allegation, identification of person(s) responsible and whether DCF intervention is necessary.
- **CPS Assessment Response (Initial Assessment):** Generally, moderate or lower risk allegations, are assigned to the CPS Assessment Response. The primary purpose of the Assessment Response is to determine if DCF involvement is necessary and to engage and support families. This response involves a review of the reported allegations, assessing safety and risk of the child, identifying family strengths and determining what, if any, supports and services are needed.

3. A determination is made as to whether there is a basis to the allegation, whether the child can safely remain at home and whether the family would benefit from continued DCF involvement. If DCF involvement continues, a Comprehensive Assessment and Service Plan are developed with the family.

Some families come to the attention of the Department outside the 51A process: **Children Requiring Assistance (CRA)** cases referred by the Juvenile Court, cases referred by the Probate and Family Court, babies surrendered under the **Safe Haven Act**, and voluntary requests for services by a parent/family. These cases are generally referred directly for a Comprehensive Assessment.

What are the timeframes for completing a Screening, and/or an Investigation or Assessment?

- **Screening:** Begins immediately for all reports. For an emergency response it is completed within two hours. For a non-emergency response, screening may take up to three business days as appropriate.
- **Emergency Investigation:** Must begin within two hours and be completed within five business days of the report.
- **Non-Emergency Investigation:** Must begin within two business days and be completed within 15 business days of the report.
- **Assessment (Initial):** Must begin within two business days and be completed within 15 business days of the report.
- **Comprehensive Assessment:** May take up to 45 business days.

Will I be informed about the DCF determination?

If you are the mandated reporter who filed the report, you will receive a copy of the decision letter that is sent to the parents or caretaker. In that letter you will be informed of the Department's response, the determination and whether DCF is opening a case for continued DCF involvement.

Does DCF tell the family who made the 51A report?

DCF regulations do not allow the Department to disclose the name of a reporter unless ordered by a court or required by statute such as when the Department is required to provide the 51A report to the District Attorney or other law enforcement (CMR 12.00 etseq.).

Referrals to the District Attorney

If the Department determines that a child has been sexually abused or sexually exploited, has been a victim of human trafficking, has suffered serious physical abuse and/or injury, or has died as a result of abuse and/or neglect, DCF must notify local law enforcement as well as the District Attorney, who have the authority to file criminal charges.

Child Protection Information

For more information about reporting child abuse and/or neglect:

- **www.mass.gov/dcf** for general information or to find a DCF Area Office
- **Child-At-Risk-Hotline 800-792-5200**
- **DCF Ombudsman 617-748-2444** (9 – 5 pm, weekdays) for inquiries about DCF programs, policies or service delivery.

Contact Us

Massachusetts Department of Children and Families
600 Washington Street, 6th Floor
Boston, MA 02111

phone 617-748-2000
fax 617-261-7435
web www.mass.gov/dcf

DCF Area Office Directory

WESTERN

- Greenfield 413-775-5000
- Holyoke 413-493-2600
- Springfield 413-452-3200
- Van Wart Center, East Springfield 413-205-0500
- Worcester, East Worcester West 508-929-2000
- South Central Whitinsville 508-929-1000
- North Central Leominster 978-353-3600
- Pittsfield 413-236-1800

NORTHEASTERN

- Lowell 978-275-6800
- Framingham 508-424-0100
- Haverhill 978-469-8800
- Lawrence 978-557-2500
- Cambridge 617-520-8700
- Malden 781-388-7100
- Cape Ann, Salem 978-825-3800
- Lynn 781-477-1600

SOUTHERN

- Arlington 781-641-8500
- Coastal/South Weymouth 781-682-0800
- Cape Cod & Islands 508-760-0200
- Plymouth 508-732-6200
- Fall River 508-235-9800
- New Bedford 508-910-1000
- Brockton 508-894-3700
- Taunton/Attleboro 508-821-7000

BOSTON

- Dimock Street, Roxbury 617-989-2800
- Hyde Park 617-363-5000
- Harbor, Chelsea 617-660-3400
- Park Street, Dorchester 617-822-4700



Child Abuse and Neglect Reporting

A Guide for Mandated Reporters

Child-At-Risk-Hotline
800-792-5200
www.mass.gov/dcf



FERPA confidentiality of Records

The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents the right to have access to their children's education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records. When a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student ("eligible student"). The FERPA statute is found at 20 U.S.C. § 1232g and the FERPA regulations are found at 34 CFR Part 99.

- ✓ FERPA protects the privacy of students by restricting access to records that contain *Personally Identifiable Information (PII)*.
- ✓ FERPA does not permit the disclosure of PII from education records without consent, except under certain *Exceptions*.
- ✓ FERPA requires that *Reasonable Methods* be used to protect the integrity and security of the data being maintained at the school or district.
- ✓ FERPA does permit the disclosure of certain types of PII that is previously designated as *Directory Information* by the school or district.
- ✓ FERPA affords parents and eligible students the right to have access to their children's education records, and the right to seek to have the records amended.

Facts about FERPA:

- local education agencies notify parents annually of their rights
- avoid disclosing personally identifiable information from the student's education records to third parties
- law enforcement, medical, alumni, employment and sole possession records are not considered education records
- FERPA violations can put funding sources at risk as well as create legal problems

Remember, it is up to you to keep student data safe!

Types of **Personally Identifiable Information (PII)** to always keep safe...

- Name
- Mother's maiden name
- Home address
- Date of birth
- Place of birth
- SSN/ Student ID
- A list of personal characteristics
- Name of parents
- Fingerprints

Remember...

- Parents have the right to inspect and review education records for their children
- School Employees should remember to consult with both custodial and noncustodial parents on education matters involving their child.
 - Non-Custodial Parents have the full rights as Parents for access to student records (unless specified document which provokes these wrights)
- When Parents or eligible students request inspection and review of education records, the school district must respond within 10 days of request.
 - Always notify your school's administration of such a request immediately.
 - Parents can request that records be amended
 - Parents have a right to a hearing with a hearing officer.

Foundation & Basic Commitments

Section: ADC

TOBACCO PRODUCTS ON SCHOOL PREMISES PROHIBITED

The Hudson School Committee is dedicated to providing a healthy, comfortable, and productive environment for staff, students, and citizens. The Committee believes that education plays a critical role in establishing life-long health habits for its students. A comprehensive health curriculum K-12 should emphasize the dangers of tobacco. The Hudson School Committee also has a strong interest in the health of its employees and in their serving as positive role models for students with regard to promoting the abstention from use of tobacco products.

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.

SOURCE: MASC – 7/16

LEGAL REF: M.G.L. 71:37H; 270:6

Approved by the Hudson School Committee – January 9, 2018

State Ethics Commission- Conflict of Interest Law Training

The conflict of interest law, chapter 268A of the General Laws, requires that every district employee shall complete an online training program.

Newly elected or appointed public employees must complete this training **within 30 days** of beginning public service, and every 2 years thereafter. It is your responsibility to understand the content in this training program, as well municipal employees are held accountable to the conflict of interest law.

CREATE AN ACCOUNT



<https://massethicstraining.skillburst.com/User/index.php>



I have created an account and will complete/have completed the Conflict of Interest- Ethics training within 30 days of my start date.

Name (Printed)

Date

Signature

Date

Hudson Public School Policy/Training Sign Off

1. I have read and received the district's **Internet Acceptable Use Policy – IJNDB**, the **Social Media: Employees Policy- IJNDC**, the **HPS Staff Cybersecurity Guidelines**, the **Email and Messaging Safety training**, and the **Password Security & Malware Protection training**. I understand that if I am found in violation of these policies and trainings, the following consequences imposed could be:
 - a. Inappropriate use of social media will be investigated by HPS.
 - b. Up to and including suspension or revocation of network privileges and computer access.
 - c. Up to and including dismissal.
 - d. The district will advise appropriate law enforcement agencies of suspected illegal activities conducted through the HPS network.

2. I have read and received a copy of the districts **Non-Discrimination on the basis of sex policy- ACA**, the **Non-Discrimination on the basis of Disability Policy- ACE**, the **Non-Discrimination Policy- Harassment and Retaliation- AC**, and the **Non-Discrimination and Anti-Harassment Procedures**.

3. I have read and received a copy of the districts **Sexual Harassment Policy- ACAB**, and the **Sexual Harassment and Title IX procedures**.

4. I have read and received a copy of the districts **Domestic Violence Leave Policy- GBGE**, the **Bullying Prevention Policy- JICFB**, the **Physical Restraint of Students Policy – JKAA**, and the **DCF Child Abuse and Neglected Reporting Guide**.

5. I have read and received a copy of the districts **FERPA Confidentiality of Records Training**, and the **Tobacco Products on School Premise Prohibited Policy-ADC**.

6. I understand I am responsible to complete the **State Ethics Commission- Conflict of Interesting Law Training** within 30 days of my start date and have received instructions on where to complete this.

Name (Printed)

Date

Signature

Date

All Hudson Public School Committee Policies:

https://www.hudson.k12.ma.us/school_committee/policies

