

SECTION K

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SCHOOL-COMMUNITY RELATIONS GOALS

The School Committee believes that the public schools belong to the people who created them by consent and support them by taxation, and the support of the people must be based on their understanding of and their participation in the aims and efforts of the schools. Therefore, the Committee declares its intent:

1. To keep local citizens regularly and thoroughly informed through all available channels of communication on the policies, programs, problems, and planning of the school system, and to carry out this policy through its own efforts, those of the Superintendent, and such information officers as may be appointed.
2. To solicit the studied counsel of the people through advisory committees selected from the community and appointed to consider problems that vitally affect the future of our children.

A School Committee member in his/her relations with community should:

- Realize that his/her primary responsibility is to the children.
- Realize that his/her basic function is policy-making and not administrative.
- Remember that he/she is one of a team and must abide by, and carry out all Committee decisions once they are made.
- Be well-informed concerning the duties of a Committee member on both a state and local level.
- Remember that he/she represents the entire community at all times.
- Accept the office of a Committee member as a means of unselfish service with no intent to "play politics," in any sense of the word, or to benefit personally from his/her Committee activities.

SCHOOL/COMMUNITY RELATIONS GOALS

The School Committee believes that the District is an integral part of the community and that community support is necessary for the District's operation and achievement of excellence. The School Committee and District staff members recognize that community support is based on a mutual exchange, a dynamic process in which the District contributes to the community's success and, in turn, benefits from the community's resources.

In order to maintain productive relationships with the community, the District is committed to sustaining:

- Effective, accurate, and meaningful communications that facilitate dialogue, encourage involvement in District programs, and create community advocacy for its public schools.
- Volunteer programs that provide mutually enriching experiences for our students, staff, and community volunteers.
- Recognition programs that publicly honor the contributions of our students, employees, and community partners and express pride in our individual and collective accomplishments.
- Community service efforts which enable the District's staff and students to express their commitment to the community.

SCHOOL/PARENT RELATIONS GOALS

It is the general goal of the District to foster relationships with parents which encourage cooperation between the home and school in establishing and achieving common educational goals for students.

While parents are individually responsible for their children, the District provides direct services of education and indirect services of child care for students during the time when they are within the supervision of school personnel. Consistent with these shared responsibilities and as appropriate to the maturity of the student, members of the school staff will consult with parents regarding student progress and achievement, methods to enhance student development, and matters of correction.

Additionally, parental involvement in the schools is encouraged through regular communication with the school Principal and staff, the parent/teacher organizations, the school volunteer program, and other opportunities for participation in school activities and District programs.

NON-CUSTODIAL PARENTS' RIGHTS
(General Laws Chapter 71, Section 34H)

As required by G.L. Ch. 71, Sec. 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Education Regulations. The School District will follow the law and the attachments recommended by the Massachusetts Department of Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non-custodial parents"). The implementation of this policy will hopefully encourage parents to be involved in and informed about the education of their children, while protecting the rights and safety of all parties.

As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
 - 1. The parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
 - 2. The parent has been denied visitation or has been ordered to supervised visitation, or
 - 3. The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
- (b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal
- (d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).
- (e) The school must delete the electronic and postal address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school. (f) Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

LEGAL REF.: M.G.L. 71:34D; 71:34F; 71:34H

603 CMR 23.07 (5) Access Procedures for Non-Custodial Parents

SOURCE: MASC Policy Revised by the Somerset School Committee 09/07/2006

File: KBBA-

E

Suggested Checklist for Schools Implementing General Laws Chapter 71, Section 34H
(Distribution of Student Records to Eligible Non-Custodial Parents)

Name of Student: _____

Name of Custodial Parent: _____

Name of Requesting Parent: _____

Name of School Staff Member Verifying Information: _____

_____ The requesting parent submitted a written request for the records to the school Principal within the past twelve months. Date of request: _____

_____ The initial request included a certified copy of a court order, which met the requirements of Section 34H (b).

_____ The initial request included an affidavit from the requesting parent, which met the requirements of Section 34H(b).

_____ Each school year since the initial request the requesting parent has submitted a request indicating that the parent continues to be:

- a) Entitled to unsupervised visitation with the child; and
- b) Eligible to receive student record information pursuant to Section 34H. Date(s) of annual request(s):

When the school received the records request from the non-custodial parent:

- The school immediately notified the custodial parent of the request by certified mail and by first class mail, in both the primary language of the custodial parent and in English. The notice informed the custodial parent that information requested pursuant to Section 34H is to be provided to the requesting parent after 21 days, unless the custodial parent provides the Principal with documentation of an applicable court order. Date of notice:

- The school is aware that it may seek reimbursement for the cost of postage from the requesting parent.
- The eligible parent has the right of access to the entire student record.

Or

- The otherwise eligible parent's right of access to the entire student record has been specifically limited by court order.

Note limitations, if any: _____

LEGAL REF.: M.G.L. 71:34H
603 CMR 23.07 (5) Access Procedures for Non-Custodial Parents

**SAMPLE NOTICE TO THE CUSTODIAL PARENT
WHEN NON-CUSTODIAL PARENT HAS REQUESTED STUDENT RECORDS
PER GENERAL LAWS CHAPTER 71, SECTION 34H**

NOTE: The statute requires schools to send notice to the custodial parent by certified mail and by first class mail, in both the primary language of the custodial parent and in English.

(Date)

(Name and address of custodial parent) **By certified and first class mail**

Dear (Name of custodial parent):

Pursuant to Massachusetts General Laws Chapter 71, Section 34H, a law regarding student records access for non-custodial parents, (insert name of non-custodial parent) has requested the student records of (insert name of child). This request was made on (insert date of non-custodial parent's request).

In compliance with Section 34H (c) and (d), I am providing you with written notice of this request.

The law requires the school to provide the non-custodial parent with the student record information after 21 days, unless before that date you provide me with a copy of either of the following documents.

- 1) A court order that prohibits the non-custodial parent from having contact with your child;
or
- 2) A court order that prohibits the non-custodial parent from getting access to the student records; or
- 3) A temporary or permanent order issued to provide protection to you or to any child in your custody from abuse by the requesting parent, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to your child's student records.

Please contact my office if you have any questions. Thank you very much.

Sincerely,

(School Principal or Designee)

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File: KBBA-R

**SAMPLE AFFIDAVIT FOR NON-CUSTODIAL PARENT
REQUESTING STUDENT RECORDS
PER GENERAL LAWS CHAPTER 71, SECTION 34H**

I, (Name of non-custodial parent), on oath depose and state as follows:

1. I am the parent of _____ (Name of student).
2. Attached is a certified copy of the court judgment or order relative to the custody of my child, which meets the standards of General Laws Chapter 71; Section 34H.

OR

3. Attached is a certified copy of an order by a probate and family court judge specifically ordering that my child's student records be made available to me, according to the standards of General Laws Chapter 71; Section 34H.
4. I certify that the judgment or order remains in effect and that there is currently no temporary or permanent protective order restricting my access to (Name of student), the custodial parent or to any child in the custodial parent's custody.

Signed under the pains and penalties of perjury this _____ day of _____.
(Month, Year)

Parent's signature

RELATIONS WITH PARENT ORGANIZATIONS

To foster relationships with parents that encourage the home and school to work together to establish and achieve common educational goals for students, the Superintendent and the professional staff will:

1. Consult with and encourage parents to share in school planning and in setting objectives and evaluating programs.
2. Help parents understand the educational process and their role in promoting it.
3. Provide for parent understanding of school operations.
4. Provide opportunities for parents to be informed of their child's development and the criteria for its measurement.

To accomplish the above and to enhance communications between parents and school officials, the Committee encourages the maintenance of formal parent organizations at each school building. For this purpose the Committee will officially recognize a parent organization at each building. These procedures will be observed:

1. Organizations will be officially recognized upon request by the building Principal who will file a copy of the organizational papers with the Superintendent.
2. A vote, open to all parents of children enrolled, will designate the organization to be recognized if more than one organization makes the request.
3. Parent organizations will forward to the School Committee an annual report of fundraising activities.

Approved by the Somerset School Committee April 30, 2009

COMMUNITY INVOLVEMENT IN DECISION-MAKING

The School Committee endorses the concept that community participation in the affairs of the schools is essential if the school system and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. It therefore intends to exert every effort to identify the desires of the community and to be responsive, through its actions, to those desires.

All citizens will be encouraged to express ideas, concerns, and/or about the schools to the school administration, to any appointed advisory bodies, and to the Committee.

Residents who are specially qualified because of interest, training, experience, or personal characteristics will be encouraged to assume an active role in school affairs. From time to time, these people may be invited by the Committee to act as advisors, either individually or in groups.

The Committee and the staff will give substantial weight to the advice they receive from individuals and community groups interested in the schools, particularly from those individuals and groups they have invited to advise them regarding specific problems, but will use their best judgment in arriving at decisions.

CROSS REF.: BDF, Advisory Committees to the School Committee

PUBLIC GIFTS TO THE SCHOOLS

The Superintendent will have authority to accept gifts and offers of equipment for the schools in the name of the Committee when the gift is of educational value. In the case of gifts from industry, business, or special interest groups, no extensive advertising or promotion may be involved in any donation to the schools.

Gifts that would involve changes in school plants or sites will be subject to School Committee approval.

Gifts will automatically become the property of the school system. Any gift of cash, whether or not intended by the donor for a specific purpose, will be handled as a separate account and expended at the discretion of the Committee, as provided by law.

The Committee directs the Superintendent to assure that an appropriate expression of thanks is given all donors.

LEGAL REF.: M.G.L. 71:37A

PUBLIC'S RIGHT TO KNOW

Pupils, parents and the general public shall be dealt with in full conformity with the state and federal laws defining the rights and privileges of the individual.

The School Committee is a public servant, and its meetings and records will be a matter of public information except as such meetings and records pertain to individual personnel and other classified matter.

The School Committee supports the right of the people to know about the programs and services of their schools and will make every effort to disseminate information. All requests for information will be acted on fairly, completely and as expeditiously as possible. Reports from studies commissioned by the School Committee shall be released to the public after they have been delivered to the Committee for its review. Within a reasonable time after receiving reports from such outside agents as auditor, fire Department, and health department, the Superintendent shall inform the Committee of action he/she has taken pursuant to recommendations made in such reports.

The official minutes of the Committee, its written policies and regulations, and its financial records will be open for inspection at the office of the Superintendent by any citizens desiring to, examine them during hours when the office is open. No records pertaining to individual students or staff members will be released for inspection by the public or any unauthorized persons by the Superintendent or other person's responsible for the custody of confidential files. The exception to this will be information about an individual employee (or student) that has been authorized in writing for release by the employee (or student, or student's parent).

The Somerset School Department is authorized to use all means available to keep parents and others in the particular school's community informed about the educational programs and activities of the district.

LEGAL REFS: M.G.L. Ch.4:7, 66:10; 39:233

CROSS REFS.: BEDG, Minutes
GBJ, Personnel Records
JRA, Student Records

NEWS MEDIA RELATIONS/NEWS RELEASES

Every effort will be made to assist the press and other communications media to obtain complete and adequate coverage of the programs, problems, planning, and activities of the school system.

All representatives of the media will be given equal access to information about the schools. General releases of interest to the entire community will be made available to all the media simultaneously. There will be no exclusive releases except as media representatives request information on particular programs, plans or problems.

In order that school system publicity is given wide coverage and is coordinated into a common effort and purpose, the following procedures will be followed in giving official information to the news media:

1. The School Committee chairman will be the official spokesman for the Committee, except as this duty is delegated to the Superintendent.
2. News releases that are of a system-wide or a sensitive nature or pertain to established Committee policy are the responsibility of the Superintendent.
3. News releases that are of concern to only one school, or to an organization of one school, are the responsibility of the Principal of that particular school. All statements made to the press by other staff members of the particular school must be cleared with the Principal.

While it is impossible to know how news releases will be treated by the press, every possible effort should be made to obtain coverage of school activities that will create and maintain a dignified and professionally responsible image for the school system.

PUBLIC COMPLAINTS

Although no member of the community will be denied the right to bring their complaints to the Committee, they will be referred through the proper administrative channels for solution before investigation or action by the Committee. Exceptions will be made when the complaints concern Committee actions or Committee operations only.

The Committee believes that complaints are best handled and resolved as close to their origin as possible, and that the professional staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the Committee. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Teacher
2. School building administrator
3. Superintendent
4. School Committee

If a complaint, which was presented to the Committee and referred back through the proper channels, is adjusted before it comes back to the School Committee, a report of the disposition of the matter will be made to the Committee and then placed in the official files.

Matters referred to the Superintendent and/or School Committee must be in writing and should be specific in terms of the action desired.

The Committee expects the professional staff to receive complaints courteously and to make a proper reply to the complainant.

LEGAL REFS.: 603 CMR 26:09 and 26.10

PUBLIC COMPLAINTS

Complaint Procedure

- (1) A parent, guardian, or other person or group who believes that M.G.L. c. 76, &5 or 603 CMR 26.00 has been or is being violated, may request a written statement of the reasons therefor from the responsible School Committee through the Superintendent and may submit a copy of such request to the Bureau of Equal Educational Opportunity of the Department of Education. If such request is made, a copy of such request shall be sent by the School Committee to the Bureau of Equal Educational Opportunity.
- (2) The School Committee shall respond promptly, but no later than 30 days, in writing to the complaining party. The School Committee shall also send a copy of its response to the Bureau of Equal Educational Opportunity.
- (3) The Bureau of Equal Educational Opportunity shall act as the representative of the Board of Education for the purpose of receiving complaints to pursuant to 603 CMR 26.00.
- (4) The Bureau of Equal Educational Opportunity shall, pursuant to a complaint received under 603 CMR 26.09 (1) or on its own initiative, conduct reviews to insure compliance with M.G.L. c. 76 &5 and 603 CMR 26.00. The School Committee and the specific school(s) involved shall cooperate to the fullest extent with such review.
- (5) In the event of non-compliance with M.G.L. c. 76 &5 or 603 CMR 26.00 the Board of Education may take such action as it sees fit, including, but not limited to, withholding of funds or referral of the matter to the Office of the Attorney General for appropriate legal action.

Private Right of Enforcement

Nothing in 603 CMR 26.00 shall abridge or in any way limit the right of a parent, guardian, or person affected to seek enforcement of St. 1971, c.622 in any court or administrative agency of competent jurisdiction.

LEGAL REFS.: 603 CMR 26:09 and 26:10

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL

Complaints about school personnel will be investigated fully and fairly. However, before any such complaint is investigated, the complainant must submit his/her complaint in writing. Anonymous complaints will be disregarded.

Whenever a complaint is made directly to the School Committee as a whole or to a Committee member as an individual, it will be referred to the school administration for study and possible solution.

The Superintendent will develop, for approval by the Committee, procedures that assure prompt and fair attention to complaints against school personnel. The procedures will require that an employee who is the object of a complaint be informed promptly and be afforded the opportunity to present the facts as he/she sees them.

If it appears necessary, the administration, the person who made the complaint, or the employee involved may request an executive session of the Committee for a formal hearing and decision. Statutory restrictions on executive sessions will be observed.

LEGAL REF.: 603 CMR 26.09 and 26.10

CROSS REF.: BEC, Executive Sessions

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL

The following procedures are established to ensure that a citizen's complaint is given respectful attention and that the integrity of the educational program is upheld. "Complaint" in this regulation will be restricted in meaning to that criticism of particular school employees by a citizen of the school district which includes or implies a demand for action by school authorities. Other comments and suggestions will be referred informally to affected personnel.

1. If a complaint comes first to the person against whom it is directed, he/she will listen courteously and may try to resolve the difficulty by explaining the background and educational purpose involved. If the complaint remains unsatisfied, the employee will refer him/her to the building Principal or other immediate supervisor to have his/her views considered further. Whether the complaint terminates with the individual staff member involved or seems likely to go further, the staff member will immediately inform his/her supervisor of the complaint.
2. If a complaint comes first to the Principal or other supervisor of the person criticized, he/she should listen courteously or acknowledge a letter promptly and politely, but should make no commitments, admissions of guilt, or threats. If the complaint involves a particular employee, the supervisor should suggest a conference between the complainant and the person criticized and should inform that person immediately of the complaint.

If the complainant has already met with the person criticized and remains unsatisfied, the supervisor should invite the complainant to file his/her complaint in writing and offer to send him/her the appropriate form regarding a school employee's behavior, character or qualifications.

3. If a complaint comes first to any other school employee, that employee will refer the complainant to the person criticized or his/her immediate supervisor and immediately inform both.
4. No further action on the complaint should be taken unless the complainant submits the complaint in writing.
5. When a written complaint form is received, the Principal or other supervisor will schedule a conference with himself, the complainant, the person criticized, and if advisable, the department chairman or other personnel that either the supervision or the person criticized feels could contribute resolution of the problem.
6. If the complainant is not satisfied with the results of the conference above, he/she should then be referred to the Superintendent, who may handle the complaint personally or refer it to other personnel, as he/she may see fit.

File: KEB-R

7. Should dissatisfaction remain after the above steps have been taken, the matter will be placed on the agenda for the next regularly scheduled Committee meeting. The decision of the Committee will be communicated in writing to all interested persons.

LEGAL REF.: 603 CMR 26.09 and 26.10

PUBLIC COMPLAINTS ABOUT THE CURRICULUM OR INSTRUCTIONAL MATERIALS

The School Committee, though it is ultimately responsible for all curriculum and instructional materials (including library books), recognizes the need and right of students to free access to many different types of books and materials. It also recognizes the right of the professional staff to select books and other materials supportive of the school system's educational philosophy and goals.

Criticism of a book or other materials used in the schools may be expected from time to time. In such instances:

1. If a parent requests that his/her own child not read a given book, the teacher and/or school administrator should resolve the situation, perhaps by arranging for use of alternative material meeting essentially the same instructional purpose. This does not apply however, to basic program texts and materials that the Committee has adopted.
2. The Committee will not permit any individual or group to exercise censorship over instructional materials and library collections, but recognizes that at times a reevaluation of certain material may be desirable. Should an individual or group ask to have any book or other material withdrawn from school use:
 - a. The person who objects to the book or other material will be asked to sign a complaint on a standard form on which he/she will document his/her criticism.
 - b. Following receipt of the formal complaint, the Superintendent will provide for a reevaluation of the material in question. He/she will arrange for the appointment of a review committee from among the faculty to consider the complaint.
 - c. The Superintendent will review the complaint and the Committee's reevaluation and will render a decision in the matter. Should the decision be unsatisfactory to the complainant, he/she may appeal it to the Committee.

In summary, the Committee assumes final responsibility for all books and instructional materials it makes available to students; it holds its professional staff accountable for their proper selection. It recognizes rights of individual parents with respect to controversial materials used by their own children; it will provide for the reevaluation of materials in library collections upon formal request. On the other hand, students' right to learn and the freedom of teachers to teach will be respected.

LEGAL REF.: 603 CMR 26.09 and 26.10

CROSS REFS.: IJ, Instructional Materials
IJJ, Selection and Adoption of Textbooks
IJL, Selection and Adoption of Library Materials

COMMUNITY USE OF SCHOOL FACILITIES

It is the policy of the Somerset Berkley Regional School Committee to welcome the use of the school facilities by the community for purposes directly related to the educational, civic, cultural, recreational and social life of the community. The School Committee recognizes that the primary purpose of school facilities is to implement instructional, extracurricular, and school-sponsored programs and that other usage shall not interfere with these programs. While the Somerset Berkley Regional High School was established for the primary purposes of facilitating the instructional programs for our students, the building and surrounding outdoor facilities are available for use after regular school hours and weekends for many types of activities.

Under the direction of the Superintendent, the High School Principal or his/her designee will determine the eligibility and approval of the use of all school district facilities. The Superintendent must also approve all applications for facility usage. Programs and activities of users must be of a nature suitable for a public school, must be lawful, and must conform to all of the usage policies of the Somerset Berkley Regional School District. Organizations or institutions servicing 75% or more Somerset Berkley participants will have preference in rental of Somerset Berkley Regional School District facilities, including time of day and date of event. The Somerset Berkley Regional School District will not accept any advance payments from any group, organization or institutions from outside the Towns of Somerset and/or Berkley in an attempt to circumvent the preference stated above.

The user of the facility will hold the Somerset Berkley Regional School District and its agents and representatives harmless for any liability of any nature whatsoever resulting from use of the premises. The user must have insurance to cover any personal and/or property claims resulting from the event. The user agrees to indemnify the District for any damages as a result of use of the facility by signing the facility use agreement. The Somerset Berkley Regional School District reserves the right to cancel any facility use agreement whenever such cancellation is advisable and in the best interest of the students, provided the administration will make reasonable efforts to accommodate events which have been booked in advance. The Superintendent is the final arbiter in regard to the fair and equitable implementation of this policy.

REGULATIONS GOVERNING FACILITY USE

- 1.) Individuals or organizations interested in the use of a school facility must complete and sign all documents to process the request which can be accessible through the SBRSD website.
- 2.) No individuals or organization will be able to rent any school facility without completing and filing all relevant documents.
- 3.) Payment for the rental of school facilities must be consistent with district guidelines. Waivers of rental fees or other requirements or restrictions in this policy will only be granted by the Regional School Committee upon recommendation of the Superintendent or designee. This includes but is not limited to in-kind contributions made in lieu of rental fees.
- 4.) A Certificate of Liability Insurance must be provided at the time an application to rent is submitted. Liability agreements must meet current district guidelines. User is responsible for getting the appropriate insurance pursuant to requirements established by the School Committee.
- 5.) Rental of a school facility does not imply automatic access to the school's equipment. Arrangements for the use of school equipment must be made at the time of application to rent. Use of this equipment requires the direct supervision of school personnel and the approval of the High School Principal and must be specifically enumerated in the written agreement.
- 6.) No one will be admitted to a school building before the arrival of an adult supervisor from the organization, nor will anyone be allowed to remain in the building without such supervision. The Administration or his/her designee will strictly enforce this regulation. The adult supervisor must be present at all times and is responsible for the actions of all participants and spectators.
- 7.) Any damage caused to the school facility or school equipment during the period of the rental will be the direct responsibility of the renter. The Somerset Berkley Regional School District will bill the renter any monies to repair the damages.
- 8.) Refreshments may be served and consumed in designated areas only and must be approved in advance by the High School Principal. Refreshments are never allowed in the Distance Learning Center, gymnasium, track and fields, tennis courts, Media Center or Performing Arts Center. If the serving of refreshments results in extra custodial time, the renter will be billed accordingly. Failure to abide by these restrictions could result in the loss of the privilege to rent the facility.
- 9.) Renters are only allowed to be in the area specified in their rental agreement. Individuals of the organization are not allowed to roam the school facility during the period of the rental.
- 10.) The renter must, at all times, be respectful and work with the custodian on duty for their time renting the school facility.
- 11.) All Somerset Berkley Regional School District's schools, fields, and grounds are No Smoking facilities.
- 12.) Facilities (buildings, rooms, and fields) will not be available for any outside use when there is a conflict with any school activity, including unanticipated, last minute changes.
- 13.) All building and fire codes must be strictly enforced.
- 14.) On a "No School" day due to inclement weather, there will be no other activities in the school buildings, unless otherwise approved by the Superintendent.
- 15.) Any group, organization or institution that falls behind in its rental payments will lose the opportunity to rent space for future events.
- 16.) The use of, serving of, or consumption of any alcoholic beverage or controlled substances on school property is absolutely prohibited.
- 17.) All groups, organizations, and institutions requesting the use of school facilities are subject, ***without exception***, to the above policy and regulations.

USE OF SCHOOL PARKING LOTS

Use of school parking lots on a short or long term basis is subject to the District's Facility Use policies and procedures. Organizations or individuals interested in using a school parking lot should complete a facility use form available on the District website or in the school's main office. Please indicate PARKING LOT ONLY on the form, note date(s) and times of use, and submit for preliminary review and approval by the school Principal.

The fee or insurance requirement for the use of a school parking lot may be waived by the Superintendent but the individual or organization must confirm in writing that they will comply with the following two provisions of the District's procedures and a third provision related specifically to use of parking lots. Failure to comply with any of these provisions will result in the privilege being revoked.

- 1.) Arrangements must be made with the Police and Fire Departments for events involving 200 or more persons under the discretion of the Superintendent. The Police and Fire permit forms must be completed and submitted six weeks prior to the event. Confirmation of scheduled detail must be sent to the District Treasurer within six weeks prior to the event. Police and Firemen may be assigned by those departments as necessary for security and safety of life and property. Charges for these services will be paid to the departments directly by the renter. Requests for cancellation, by either party, must be made at least twenty-four hours in advance of the scheduled event.
- 2.) The applicant, renter, organization, must agree in writing to indemnify, defend and save harmless the Towns of Somerset and Berkley, School Committee, its officers, agents, servants and employees from and against any and all claims, demands, suits, proceedings, liabilities, judgments, awards, losses, damages, costs and expenses, including attorney's fees, for bodily injury, sickness, disease or death sustained by any person or persons, or injury, damage to, destruction or loss of any property, directly or indirectly arising out of or relating to, or in connection with the applicant, renter, organization's use of the Somerset Berkley Regional High School pursuant to this agreement.
- 3.) The applicant must agree that they will not exceed the days or hours approved for their use of the parking lot, or in any other way restrict or interfere with the school's use of its parking facility both during the hours of school operation or any other time that has not been pre-approved for outside use.

Who May Use the Facilities?

Established organizations within and outside of the District (PTO and PAC, booster groups, governmental and quasi-governmental public service bodies, including the Town of Berkley and the Town of Somerset, religious, business/industrial organizations) may apply to use school facilities provided the use is for an educational, civic, cultural, recreational, social or other legitimate purpose of the organization.

Process to Obtain a Facility Use Reservation

- All documents to process a building request are accessible through the SBRSD website at www.sbreghional.org
- All requests must be submitted to the Principal no later than one month prior to the event. Applications received less than one month in advance of the event will not be honored, unless approved individually by the Superintendent. Emergency request will be evaluated on a case by case basis.
- Administration reserves the right to delay approval of applications for an upcoming fiscal year until October 1st to allow for school functions to be scheduled first for the year.
- Applications received in the months of July and early August may not be processed until the end of August. Renter should plan their requests for rentals accordingly.
- The District will not "hold" space for any organization.
- A Certificate of Liability Insurance must be provided at the time an application to rent is submitted. Liability limits are required to be a minimum of \$1,000,000 per occurrence/\$2,000,000 per aggregate. The Somerset Berkley Regional School District needs to be listed as an additional insured. User is responsible for getting the insurance. These insurance requirements may be adjusted from time to time by the School Committee.
- Rooms are rented and reserved on a first come, first serve basis. In the event that simultaneous requests are received, Class I has the highest or greatest priority for facility use scheduling and Class V the least. Approved youth groups will receive precedence over adult groups.
- Buildings and facilities will not be available on the evenings of regular Town Meetings: General and Regular Elections and also Special Town Meetings.
- The application must be submitted by a designated person who will be responsible for the event. This person must be at least 18 years of age. The signing party may be either an authorized signatory of the applying organization or a private individual. In either case, the signatory will become the party responsible to the District for the facilities' use and the compliance with all district rules and regulations.
- Once the application is received, the High School Administration will review the documentation and contact the renter to set up an initial meeting to discuss rental details within 10 school days. The initial meeting will be scheduled within 20 school days of the receipt of the original rental application.
- At the initial meeting, High School Administration or their designee will discuss all aspects of the rental agreement including but not limited to dates of rental, hours of use, facility usage areas, additional support staff and equipment needs. Once the rental agreement is finalized, the application will be signed by the High School Administration and then sent to the Office of the Superintendent of Schools for processing.
- The District Treasurer will send a copy of the approved application, summary of fees invoice that will require a 50% deposit of the rental and a copy of the Somerset Berkley Regional School District Facility Use. ... We request the 50% deposit of total fee to be paid within two (2) weeks of the receipt of the approved application. Failure to remit deposit within the specified timeframe will result in the cancellation of the facility use agreement. Once the 50% deposit has been received from the renter, the District Treasurer will notify the Principal or his/her designee for final scheduling in the school building calendar. Please remit deposit payments for event to:

Somerset Berkley Regional School District
Attention: Regional Treasurer
580 Whetstone Hill Road
Somerset, MA 02726

- In the event an application is Denied, someone from the Somerset Berkley Regional School District will contact the user group to inform them within two weeks of the denial.
- Representatives who have been granted permission to use facilities shall not reassign, transfer, sublet or charge a fee to others for the use of school property.
- Without a reservation confirmation, use will be denied.
- Facilities may be rented to groups during school vacations or holidays, providing the event does not conflict with facility cleaning and renovating programs and providing there is building service personnel available for supervision.
- The District reserves the right to deny or withdraw facility use privileges at any time. Should unexpected facility use rentals need to be cancelled by the high school, Administration will notify the renter as soon as possible.
- Privileges of the use of the school facilities may be permanently revoked should any group or organization violate the regulations of the District's facilities.

Cancellations

- A down payment of 50% is expected and due within fourteen (14) days after the event is scheduled. If the activity is cancelled by the renter at least 72 hours in advance of the scheduled event, the permit holder will receive a full refund of their payment less any related expenses incurred by the School District. If the event is cancelled less than 72 hours prior to the event by the renter, the permit holder will receive a half refund minus the non-refundable administrative fee, less any related expenses.
- School events may result and override any previously requested reserved space. The Principal will do everything possible to accommodate your group when this occurs with as much notice as possible.
- If the District is closed due to inclement weather or any other unexpected reason, every effort will be made to reschedule the event at a mutually agreeable date and time. If this is not possible, a full refund will be given.
- If a rental must be cancelled or altered by the renter, please contact the District Treasurer, via email at blackmarc@sbregional.org.

Liability and Insurance

- A copy of the Certificate is due when application is submitted. Liability limits are required to be a minimum of \$1,000,000 per occurrence/\$2,000,000 per aggregate. The Somerset Berkley Regional School District needs to be listed as an additional insurer. User is responsible for getting the insurance coverage.
- Failure to present proof of insurance voids all agreements.
- Events without the proper insurance on file will be cancelled.
- The permit holder will be fully responsible for all loss, damage, or abuse of school property, including property of students and employees during the time the building is in use.

Payment

- The individual(s) who signed the application and agreement are responsible for payment-cost per hour charged for the use of the facility and per staff member required, in addition to any other incurred costs.
- A down payment of 50% within 14 (fourteen) days after scheduling. Failure to pay deposit within 14 days will result in the cancellation of the rental.

Prohibited Use

- School facilities are not available for private parties or family reunions.
- School facilities cannot be used for political gain.
- Games of chance, lotteries or other activities classified as gambling cannot be conducted on school premises.
- Facility use is limited to the function and area described on the Facility Use Application. Changes in plans or usage will constitute a separate request and charge. There shall be no third party use of the facilities.
- Activity that promotes commercial gains cannot be conducted without the consent of the Superintendent.
- Alcoholic beverages of any nature shall NOT be served or consumed on school property. Smoking or controlled substances are NOT permitted on school property in accordance with state law.

Curfew Guidelines

- Baseball, Softball and Soccer Fields – Curfew in effect from dusk until dawn, unless special circumstances are approved by the Superintendent.
- Football Fields and Track – Curfew in effect from dusk until dawn.
- Lighted Tennis Courts–Curfew in effect from 10:00pm until dawn.
- Indoor Track – Only available for use from 7:00pm – 9:00pm Monday through Friday. If there is an athletic game scheduled in the gymnasium, the walking track will not be accessible to the public. Please visit the SBRSD Athletics website at <http://somersetberkley.org/athletics> to view the athletics schedule.

On-Site Rules

- User groups are expected to leave all rooms and furniture in the condition and arrangement in which they were found. Any User Group, if responsible for any fees incurred to additional custodial services which are necessary to return the facility to the condition in which it was found, shall be billed accordingly.
- The user is not entitled to use areas or equipment not specifically requested and approved in the Facility Use Application Form.
- All activities must be under competent adult supervision approved by the Principal. Children attending this event must be supervised by an adult at all times, including trips to the restroom and drinking fountain.
- If security or police detail is required, the applicant shall make such arrangements at his/her expense. The applicant shall inform the Principal of the details of the security arrangement. Use of the facility may be denied if, in the opinion of the Principal, there is insufficient supervision or the event exceeds the capacity of the facility. Arrangements must be made with the Police and Fire Departments for events involving 200 or more persons under the discretion of the Superintendent. The Police and Fire permit forms must be completed and submitted six weeks prior to the event. Confirmation of scheduled detail must be sent to the District Treasurer within six weeks prior to the event.
- User groups must take reasonable steps to insure orderly behavior. The use of the school facilities will require that a SBRSD designated personnel be present when the building is open.
- Users will be responsible for paying for all damage incurred by their use of the facility or equipment, including property of pupils and employees. In the event that property loss or damage is incurred during use or occupancy of district facilities, the amount of damage shall be determined by the Principal and approved by the Superintendent, and a bill for damages will be presented to the group using the facilities. Payment for damage must be made within two weeks of receipt of the bill. The Somerset Berkley Regional School District will not be responsible for any loss of valuables or personal property.
- Approved users are restricted to the dates and hours approved and to the building area and facilities specified. Buildings will normally be opened one-half hour before the scheduled program time and closed one-half hour after the scheduled program time, at the renter's expense.

- The Student Dining Center and Gymnasium do have video cameras for building surveillance purposes. If a renter is utilizing the Student Dining Center and/or Gymnasium for a rental, the renter should be aware of this surveillance. Video product will only be viewed in the event the District must investigate for damages and/or related building maintenance issues.
- Approved users are responsible for the observance of county and state fire and safety regulations at all times. Corridors, exits and stairways shall be kept free of obstructions. Members of an audience or spectators must never stand or sit to block exits, aisle ways or stairways. Facility capacities, as determined by the Fire Marshall, shall be observed.
- Decorations must be used in such a manner not destructive to school property and must adhere to Fire Safety regulations. Decorations are subject to the approval of the designated representative. Approval may be denied based on content as well as structure of the decorations, including banners and pennants.
- The use of materials (including tape) on floors or other parts of the building is strictly prohibited without specific written approval from the Principal.

Set up/Clean up

- The District will designate personnel to be on duty whenever a facility is being used except as exempted by the Principal and so noted on the permit. They will provide assistance in handling furniture and equipment and will be responsible for clean-up and assessment of the facility's conditions post-use. The user will reimburse the District at a rate determined by Class listed on rental sheet, including set-up and clean-up. A minimum of two hours will be charged when custodial services are requested on these days. During the week, custodial use beyond the normal 8 hour shift shall be paid at time and a half when contractually required. Community youth groups will only be required to pay fees if additional time is required beyond the normal work day or work week (M-F). No charge will be assessed for use of school facilities during the normal workday or work week by a designated teacher or school personnel groups or student organizations.
- Only Somerset Berkley Regional School District personnel may move or direct movement of equipment, furniture, etc. No person, staff included, may operate any stage equipment or other electrical or mechanical equipment without approval from the Tech Services. If stage curtains, projection equipment, lighting, and PA systems are to be used, arrangements will be made with the Principal to provide technically qualified personnel to perform the tasks at the user's expense.
- No piano is to be moved from its present location at any time without prior approval.
- Only in the case of a documented emergency are offices to be opened and/or telephones used.
- When an organization is granted use of the Performing arts center and stage for a performance, it may use the facilities for one rehearsal period. Rental fees and custodian charges will apply for this rehearsal time. The organization MUST schedule the rehearsal in advance with the Principal and identify the rehearsal on the Facility Use Application. The rehearsal must be during the school week.
- No food/drink items of any type are to be used in District facilities without the prior knowledge and consent of the Principal. Should a kitchen area be desired for use of food preparation, it is understood that an approved member of the SBRSD Student Dining Center staff will be necessary at user expense to supervise the kitchen. The District shall be reimbursed for these services at time and a half per hour of regular salary. No kitchen supplies, dishes/utensils should be used when renting the Student Dining Center/Kitchen area.
- Applicant must have their approved Facility Use Permit in their possession at the event signed off by renter and school representative.
- Behavior and discipline of those in attendance, including guests, are the responsibility of the organization or person obtaining the permission to use the facility or field. Security personnel have full authority to eject any or all persons disregarding any of the above regulations.
- Any infraction of the above rules, or violations of common behavior decorum consistent with the approved event, may be grounds for immediate dismissal of the groups or organization for refusing to grant subsequent requests for use of school facilities.

SOMERSET BERKLEY REGIONAL SCHOOL DISTRICT RULES AND REGULATIONS FOR:**ATHLETIC FIELDS (BASEBALL, SOFTBALL AND SOCCER)**

- School sports have first priority on all fields. Please note, that with all scheduling, Somerset Berkley Regional School District reserves the right to cancel an event, due to our scheduling need with practices, games and/or a SBSRD event. Also note, sometimes this may happen with less than 24 hours' notice.
- In the event of pending inclement weather, makeup dates will be approved as long as no conflict with school sports schedules.
- All fields and buildings should be left in the manner they were found. The area should be cleaned of any litter or refuse and placed in appropriate containers. If you are using any of the high school fields for your sporting events there will be a grounds/custodial person assigned to each event. Please review our fee schedule.
- No players/children should be in or on any structure (Sheds, Goal Posts, Panther, Soccer goals, etc.)
- If handicap access is needed for sports fields, arrangements can be made with the Principal's office prior to event.
- A copy of \$1,000,000.00 general liability insurance policy should be included with each application. Certificate holder on the policy should read:

Somerset Berkley Regional School District
Attention: Facility Use
270 Grandview Avenue
Somerset, MA 02726

- All applicants are responsible for obtaining town permits, if applicable.
- Nets will be provided by the school district for any sport. It will be the applicant's responsibility to ensure all nets are used appropriately. Students/Guests should not be hanging or jumping from any structure at SBRHS.
- Groups are expected to conduct themselves in an orderly manner and refrain from profanity at all times.
- Absolutely NO trespassing around the grounds maintenance building.
- No smoking, alcohol and controlled substances on school property.
- No pets allowed on fields.
- No machinery or equipment will be permitted on any field.
- No machinery or landscaping equipment is to be brought in by requester to groom or prepare any field. Permission must be granted in writing by the SBRSD Principal.
- Use of any equipment or facility requiring technical expertise or training is available only when an authorized District employee is on site to oversee its use.
- The group is to park in designated parking areas. FIRE lanes must not be blocked. Vehicles are not allowed on any grass areas or areas designated "NO PARKING."
- The Regional School District will vigorously enforce the policy and seek damages for the cost of any repairs required by violation of the policy including hold parents responsible for damages caused by minor children to the extent permitted by law.

SOMERSET BERKLEY REGIONAL SCHOOL DISTRICT RULES AND REGULATIONS FOR:**OUTDOOR TRACK AND TURF FIELD**

- The outdoor track of the Somerset Berkley Regional High School is available to the public use.
- Players wearing cleats are not allowed on the track at any time. Players will be allowed to walk across the track in designated areas only where proper matting is available.
- High School TURF Field: NO Food, NO Drink (No Gatorade, PowerAde, Vitamin Water, sunflower seeds, candy, etc.) Only clear water on field.
- NO vehicles will be permitted on the track at any time. Authorized SBRSD vehicles are permitted with authorization from the Principal.
- NO vehicles will be permitted to park on the walking/emergency path going up to the high school. SBRSD vehicles are permitted with authorization from Principal.
- The track and turf field should be left in the manner they were found. The area should be cleaned of any litter or refuse and placed in appropriate containers. If you are using any of the high school fields for your sporting events there will be a grounds/custodial person assigned to each event. Please review our fee schedule. No players/children are allowed in the Press Box and Concession Stands.
- Groups are expected to conduct themselves in an orderly manner and refrain from profanity at all times.
- Absolutely NO trespassing around the grounds maintenance building.
- No smoking, alcohol and controlled substances on school property.
- No pets allowed on the track.
- Runners must use the two inside lanes only if there are walkers on the track.
- Walkers must use the outside lanes if there are runners using the track. Walkers should not exceed three (3) abreast when walking the track.
- No machinery or equipment will be permitted on the turf field or track.
- Use of any equipment or facility requiring technical expertise or training is available only when an authorized District employee is on site to oversee its use.
- The group is to park in designated parking areas. FIRE lanes must not be blocked. Vehicles are not allowed on any grass areas or areas designated "NO PARKING."
- Use of the turf field by the general public is prohibited. Only preapproved organized and supervised sports activities may occur on the turf field. Members of the public using the track in accordance with this policy should avoid the use of the turf field.
- Use of any equipment such as bicycles, skateboards, roller skates, rollerblades or baby strollers on either the turf field or track surface are strictly prohibited.
- The Regional School District will vigorously enforce the policy and seek damages for the cost of any repairs required by violation of the policy including hold parents responsible for damages caused by minor children to the extent permitted by law.

SOMERSET BERKLEY REGIONAL SCHOOL DISTRICT RULES AND REGULATIONS FOR:

INDOOR TRACK

- Any organized group of individuals, club, league or organization must obtain an approved application for the use of the indoor track.
- At least one representative from each group must meet with the Superintendent or Principal before any application is approved.
- A copy of \$1,000,000.00 general liability insurance policy should be included with each application. Certificate holder on the policy should read:

Somerset Berkley Regional School District
Attention: Facility Use
270 Grandview Avenue
Somerset, MA 02726

- For indoor track use, members must enter through the Community entrance.
- The indoor track will not be available to the public during normal school hours throughout the year and any day that school is not in session. The Indoor Track is available for public use from 7:00pm – 9:00pm Monday through Friday. If there is an athletic game scheduled in the gymnasium, the walking track will not be accessible to the public. Please visit the SBRSD Athletics website at <http://somerseberkley.org/athletics> to view the athletics schedule. All users of the indoor track must sign-in at the security booth before entering the track area. Users will have access only to the indoor track area.
- Appropriate footwear must be worn at all times when using the indoor track. Dark soled running shoes, turf shoes or any other type of footwear which may mark the floor is not allowed.
- Only clear water containers (no glass containers) may be brought in to the track area. All water containers must be removed from the track area upon leaving the track. No food, candy, or gum is allowed in the track area.
- Track walkers must not exceed two (2) abreast when walking the track.
- Runners must use the outside lane when there are walkers on the track.
- Persons using the indoor track are responsible for their own belongings. The District is not responsible for the loss of any personal items left unattended while using the track.
- There is to be no loitering in or around the track area at any time.
- Proper decorum and behavior is expected at all times. Violators are subject to immediate removal from the facility and may be denied future access.

SOMERSET BERKLEY REGIONAL SCHOOL DISTRICT RULES AND REGULATIONS FOR:**TENNIS COURTS**

- The Somerset Berkley Regional School Committee encourages the public to use and enjoy these tennis courts according to the prescribed schedule and regulations as established by the Committee.
- School sports and physical education classes have first priority on all tennis courts. Please note, that with all scheduling, Somerset Berkley Regional School District reserves the right to cancel an event, due to our scheduling need with practices, games and/or a SBSRD event. Also note, sometimes this may happen with less than 24 hours' notice.
- In the event of pending inclement weather, makeup dates will be approved as long as no conflict with school sports schedules.
- To thoroughly enjoy the continued use of these courts, everyone must assist in ensuring their proper use, including keeping the area clean.
- Tennis courts of the Somerset Berkley Regional High School are available for public use.
- The Tennis court lights may be on until 10:00pm each evening.
- The following rules and regulations must be adhered to:
 - Appropriate footwear must be worn when using these courts. These courts are for tennis use only. No bicycles, skateboards, rollerblades or street hockey may be played on the tennis courts and are strictly prohibited. The District will vigorously pursue recovery of repair costs resulted to for the violation of this prohibition and will seek to hold parents liable for the action of their minor children to the fullest extent permitted by law.
 - Water is the only drink allowed inside the tennis court areas. No Glass Containers or Other Beverages are not Allowed.
 - No food is allowed in the court areas.
 - Water bottles or containers must be removed from the tennis court area before leaving the facility.
 - The public is asked to keep the area in and around the courts clean at all times. All other debris or personnel items must be removed.
 - The public should not attempt to sweep the courts at any time.
- Courts #1 and #2 are available for public use during league or group tennis assigned times unless otherwise noted.
- Any organized group of individuals, club, league or organization must obtain prior approval for facility usage. The application for facility usage must be approved by the Principal and Superintendent.
- A copy of \$1,000,000.00 general liability insurance policy should be included with each application. Certificate holder on the policy should read:

Somerset Berkley Regional School District
Attention: Facility Use
270 Grandview Avenue
Somerset, MA 02726

- The maximum number of courts to be used under the facility usage agreement is four (4), unless prior approval is given by the Principal and Superintendent.
- Tournament play cannot be extended beyond the specific dates and time of the original facility usage application without prior authorization from the Principal and Superintendent.

SOMERSET BERKLEY REGIONAL SCHOOL DISTRICT RULES AND REGULATIONS FOR:**PERFORMING ARTS CENTER**

- All District personnel should communicate dates for reservation of the Performing Arts Center prior to the first week in September for the school year. These reservations will be reviewed and subsequently approved as decided by Administration with the understanding that on rare occasions the Administration might deem it necessary to modify the reservation dates.
- All requests for Performing Arts Center use including equipment rental require a trained AV technician or Event Coordinator for the operation of lighting and/or sound system. Generally, the assignment of the technician includes set-up and time to remove the equipment. Specific lighting and sound needs must be communicated to the technician at least one week prior to the event.
- The Performing Arts Center should be left in such a fashion that will allow for the daytime use of the Performing Arts Center by the staff and students.
- Under no circumstances should sets or stage pieces be attached to the floor. It is the responsibility of the user to remove all tape and/or other markings from the floor, seats, doors and stage area. Only gaffers tape should be used for markings. Gaffers tape is supplied by the renter. Masking and Duct tape will not be allowed in the Performing Arts Center at any time. Building of sets for performances will not be permitted in the Performing Arts Center area. Arrangements should be made in advance for an area for this purpose.
- Also, no food or drink is to be allowed in the Performing Arts Center. It is the responsibility of the user to assure that this policy is adhered to. Arrangements for food and beverage in locations other than the Performing Arts Center must be made in advance. Food, beverages and other items may be sold in a ticket booth/concession stand but are not permitted in the seating area. No alcoholic beverages or controlled substances are allowed on school property.
- Performing Arts Center systems (stage rigging, lighting, audio & video) may only be operated by individuals approved by the SBRSD.
- Props, backdrops, etc. may only be hung in a safe manner according to the intended use of stage rigging and sets. No objects are to be fastened to the stage curtains. No objects are to be hung from the sprinkler pipes. No objects are to be fastened to the stage floor or walls. Only personnel that are trained and approved by SBRSD staff to use audio, video, and/or lighting equipment will be authorized to use the Performing Arts Center's equipment. The Principal has absolute authority ensure the safety of all scenery, props, equipment, etc., and to require the removal of the unsafe material or modifications to satisfy safety needs.
- Stage area is to be left clear.
- All equipment, props, etc., owned by the renter must be removed from the premises the evening of the last performance, unless other arrangements have been made with the Principal's Office. Storage space in the Performing Arts Center is extremely limited.
- Total occupants allowed in the Performing Arts Center have been established by the Town Building Commissioner, as per the certificate of inspection. Occupancy is listed inside the Performing Arts Center. This amount shall not be exceeded. No entrances, exits, corridors, or other means of egress will be blocked or restricted in any fashion as this will endanger those in attendance in the event of an emergency.
- Scenery and decorations must be fire safe.
- The time specified in the contract shall be strictly enforced. Exceptions may be made only by the Principal.
- Wiring for special effects in performances on the stage must receive approval from the local Fire Department.
- There is to be no smoking in the Performing Arts Center, lobby area or on school grounds.
- Band and/or Chorus classrooms adjacent to the Performing Arts Center as well as the Student Dining Center will be available for use as dressing rooms if needed.
- Music rooms are not to be used without arrangements being made with the music supervisor.

SOMERSET BERKLEY REGIONAL SCHOOL DISTRICT RULES AND REGULATIONS FOR:**GYMNASIUM**

- No sports other than indoor sports will be allowed in any Somerset Berkley Regional School district facilities unless their equipment being used has been modified for acceptable indoor use. This modification will be the recommendation of the Principal and finalized by the superintendent of schools. This includes soccer, baseball, softball, golf, football, etc.
- Sports and recreational groups are ultimately responsible for appropriate supervision of participants and spectators when they are using the school district's facilities.
- No one is allowed on the gymnasium floor without proper footwear. Only scuff-resistant shoes are allowed in the activity areas of the building. **Dark soled running shoes, turf shoes, spiked shoes and any other types of shoes which mark the floors are absolutely prohibited.** Muddy or dirty shoes are not permitted. Participants are asked to please change into a separate, clean pair of shoes for their indoor recreational use. Shoes are required to be worn at all times while in the facility. NO Food or drink is allowed in the gymnasium with the exception of water. The District will not store gym equipment for sports (ie. soccer balls, basketballs). The group will be responsible to bring their equipment.
- Gymnasium systems (bleachers, scoreboard, adjusting basketball hoops, operating divider curtains, sound system, floor protective covering) can only be operated by individuals approved by SBRSD.
- Total occupants allowed in the gymnasium have been established by the Town Building Commissioner, as per the certificate of inspection. Occupancy is listed inside the gymnasium. This amount shall not be exceeded. No entrances, exits, corridors, or other means of egress will be blocked or restricted in any fashion as this will endanger those in attendance in the event of an emergency
- No tape shall be applied to the gymnasium floor, walls, or bleachers.
- No objects are to be fastened to or dragged across the gymnasium floor
- Arrangements must be made in advance for use of equipment.
- Only program participants will be allowed in the locker room/shower areas.
- Persons using gymnasium are responsible for their own belongings.
- Use of school gymnasium does not include use of locker rooms. This must be indicated on your request.
- In addition to the above, for **High School Gymnasium:** If required, a special floor covering may be needed in order to protect the gymnasium floor during exhibits, shows and assemblies at the user's expense.

SOMERSET BERKLEY REGIONAL SCHOOL DISTRICT RULES AND REGULATIONS FOR:

STUDENT DINING CENTER

- Individuals requesting the use of Student Dining Center must be associated with a recognized organization or sponsor. At least one member of the Student Dining Center staff must be on duty to supervise.
- Caterers may use the kitchen, but not the dishes or utensils. At least one member of the Student Dining Center staff must be on duty to supervise. The area must be maintained according to school standards.
- Only areas specified in the original request may be used. It is advised that all potential renters visit the proposed site before rental.

ALCOHOLIC BEVERAGES

The use of, serving of, or consumption of any alcoholic beverage on school property or at school-sponsored activities is prohibited. Further, any person shall be barred from any school-sponsored activity if he/she has been drinking alcoholic beverages prior to his/her attendance at or participation in said school-sponsored activity.

PUBLIC SOLICITATIONS IN THE SCHOOLS

The School Committee will place limits on commercial activities and fund-raising activities in the schools for the following reasons:

1. The school system should provide students, parents, and employees some measure of protection from exploitation by commercial and charitable fund-raising organizations.
2. The school system should not give the public the impression of generally endorsing or sanctioning commercial and fund-raising activities.
3. Commercial and fund-raising activities may disrupt school routine and cause loss of instructional time.

Following these guiding statements, the Superintendent and Principals may permit occasional commercial or fund-raising activities related to the objectives of the schools with the following exceptions:

1. No direct solicitation of students or employees may take place without School Committee permission.
2. No general or class distribution of commercial or fund-raising literature may take place without School Committee permission.

For the purposes of this policy, local PTA and PTO groups and groups representing school system employees will be considered "school groups" and will be governed by the Committee's policy on staff solicitations.

LEGAL REF.: M.G.L. 44:53A

CROSS REFS.: GBEB, Staff Gifts and Solicitations
JP, Student Gifts and Solicitations
KHB, Advertising in the Schools

KI

**CLASSROOM OBSERVATION OF EDUCATION PROGRAM
BY PARENTS/ DESIGNEES FOR EVALUATION PURPOSES**

(Pursuant to section 3 of G.L. c. 71B)

Chapter 363 of the Acts of 2008 -- Approved October 10, 2008

**AN ACT PROVIDING ACCESS TO INFORMATION
FOR PARENTS OF A CHILD WITH SPECIAL NEEDS.**

To insure that parents can participate fully and effectively with school personnel in the consideration and development of appropriate educational programs for their child, Somerset Schools, *in accordance with Section 3 of Chapter 71B of the General Laws*, will provide parents and/or parent-designated independent evaluators and educational consultants the opportunity to observe a child's current program, including both academic and non-academic aspects of the program. Verbal and/or written requests are to be communicated to the school principal or designee two days prior to time/date of the observation. Parents and their designees shall be afforded access of sufficient duration and extent to enable them to evaluate a child's performance in a current program.

The emphasis on the safety, integrity and confidentiality of our program(s) may restrict program observations as determined by the principals.

Conditions on Observations:

The observation law states that districts may not condition or restrict program observations except:

1. To ensure the safety of students in the program
2. To ensure the integrity of the program while under observation
3. To protect the students in the program from disclosure of confidential and personally identifiable information.

LEGAL REFS.: **M.G.L. Chapter 363 of the Acts of 2008**
*An Act Providing Access to Information For Parents of a
Child With Special Needs.*

Approved by the Somerset School Committee April 30, 2009

File:

KI

**AGREEMENT TO MAINTAIN STUDENT CONFIDENTIALITY
DURING SCHOOL OBSERVATION**

I _____, agree that if I observe personally identifiable or confidential information of any student (other than the student I am observing during the course of my observation of _____ (student name) on _____ (date), I will not disclose it and will maintain the confidential nature of this information.

Date

Signature

Approved by the Somerset School Committee April 30, 2009

KI

File:

**AGREEMENT TO MAINTAIN STUDENT CONFIDENTIALITY
DURING SCHOOL OBSERVATION**

I _____, agree that if I observe personally identifiable or confidential information of any student (other than the student I am evaluating/observing for whom I have obtained appropriate parental consent and for whom I will use the information obtained in accordance with parental direction and authority) during the course of my evaluation and/or observation of _____(student name) on _____(date), I will not disclose it and will maintain the confidential nature of this information.

Date

Signature

Approved by the Somerset School Committee April 30, 2009

RELATIONS WITH BOOSTER ORGANIZATIONS

The School Committee recognizes that the endeavors and objectives of booster organizations and similar groups can be a valuable means of stimulating interest in and endorsement of the aims and achievements of our public school system.

Generally, actions initiated by boosters provide the atmosphere and climate to foster and encourage community-school relationships.

Booster-proposed plans, projects, or activities must be evaluated and promoted in light of their stated contribution to the academic as well as the athletic and fine arts programs of the schools. Care must be taken to avoid compromising or diluting the responsibilities and authorities of the School Committee.

**RELATIONS WITH GOVERNMENTAL AUTHORITIES
AND ACCREDITED ORGANIZATIONS**

It shall be the policy of the Somerset School Committee that the Committee shall maintain harmonious relations with all appointed and elected officials of the Town of Somerset, with officials of the Massachusetts Department of Elementary and Secondary Education, and with all recognized and accredited organizations interested in the welfare of the children.

Approved by the Somerset School Committee June 18, 2009

RELATIONS WITH POLICE AUTHORITIES

The Somerset School Committee will give full cooperation to the Somerset Office of Emergency Management and to the Somerset Police Department and Somerset Fire Department in all emergencies, and the Superintendent is authorized to make all school facilities available to these agencies when required.

Relationships between the schools and officials of law enforcement agencies in investigative matters concerning pupils will take into consideration the respective roles of the schools and law enforcement agencies in assisting and protecting the interests of the community, and ensuring the rights of all concerned.

The School Committee also recognizes the potential enrichment that law enforcement agencies can make in the educational program.

Efforts should be made to develop and maintain a healthy attitude toward law enforcement agencies and personnel to promote better understanding and communication.

COMMITTEE RELATIONS WITH POLICE AUTHORITIES

It is the intent of the Somerset Public Schools and the Somerset Police Department to engage in cooperative efforts aimed at the elimination of drugs, controlled substances, and alcohol from the schools. Such cooperation is designed to bring about a comprehensive community response to the social and physical hazards of drug use, drug involvement and controlled substance abuse by the students of Somerset.

The parties to the memorandum of understanding hereby agree to the conditions and procedures entered below:

1. Reporting
 - A. All school staff members are under obligation to report all incidents of the use or possession of any drugs or controlled substances by students. For the purpose of this agreement, alcohol is recognized as a drug.
 - B. School personnel are not protected under the confidentiality statutes of the Commonwealth, and if called on to testify in court, they would be obligated to reveal any information relating to drugs or controlled substances even if voluntarily-confided to them by students.
 - C. Every incident, suspected incident, or suspected pattern of use, possession, or trafficking in drugs or controlled substances, is to be immediately reported to the appropriate building Principal, other administrator or designee. Any substantiated incident shall be reported to the Superintendent of Schools and police as soon as possible. Suspected incidents should be reported to the police for further investigation.
 - D. Any student who is suspected of, observed as, or has admitted to being under the influence of a drug or controlled substance must be immediately escorted to the office of the building Principal/Vice Principal. In substantiated cases parents will be notified as soon as possible.
 - E. Incidents, as described in items 1A-D and any substantiated involvement with an illegal substance or alcohol, are considered violations of school rules, and possibly of the law, if they occur in the school building, on school grounds, at school-sponsored events, at activities or events which may be conducted off school grounds, on school buses and at or near school bus stops during loading and unloading times.
 - F. The Principal of each school building shall be the party to whom all such incidents are reported and who will coordinate procedures in these matters. In the

absence of the Principal or upon assignment, another administrator or designee shall perform this function.

- G. Upon a report to the Principal or designee, an investigation will be conducted. All suspected criminal violations or activity shall be reported to the police as soon as possible.

2. Violations

- A. To be under the influence of drugs or controlled substances, but not in possession of drugs, is a violation of school rules. Students in violation of school rules regarding drugs or controlled substances will be appropriately disciplined. The police may be summoned in cases of disorderly or dangerous conduct. The Superintendent of Schools and police shall be notified of all situations of substantiated drug involvement.
- B. Students found in possession of drugs or controlled substance will be considered in violation of the law and the Superintendent of Schools and police shall be notified. Contraband (illicit drugs and paraphernalia associated with drug use) will be secured until it can be turned over to the police.
- C. Where appropriate, the police will pursue criminal action against any student found to be in possession of drugs.

3. Coordination

School administrators shall meet at least annually with local law enforcement officials to review goals and procedures contained herein, and exchange information regarding drug use and trafficking within the schools and community.

RELATIONS WITH PLANNING AUTHORITIES

The School Committee will participate in local and state planning functions that could directly affect District schools and their immediate environment.

The Superintendent or designee will keep the School Committee informed of planning matters bearing directly on the operation of District schools or school-sponsored programs, and will undertake action on behalf of the School Committee to influence matters in the best interests of the students, the schools and the District.

RELATIONS WITH LOCAL GOVERNMENTAL AUTHORITIES

The School Committee and its administrative officers welcome all who seek to serve the residents of the community and will participate with them in the planning and execution of such projects as will be mutually beneficial for students.

It is School Committee policy that administration inform elected and appointed officials of the local and county government of the desire to work cooperatively for improved services.



Somerset Public Schools Somerset Berkley Regional School

All Students Achieving Excellence

SECTION 504 ELIGIBILITY GUIDELINES AND PROCEDURES

The Somerset Public Schools and Somerset Berkley Regional School District are committed to a policy of nondiscrimination against qualified persons with disabilities, in accordance with Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended (ADA).

Section 504 of the Rehabilitation Act (1973) is a federal civil rights law that protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance. Specifically, Section 504 requires that “No otherwise qualified individual with disabilities in the United States...shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance...” This includes access for students with disabilities to district before-school, after-school or summer programs comparable to those provided to nondisabled students. A provision for extended school day and/or school year services in an Individualized Educational Program (IEP) is not a requirement for participation in any of these programs.

Section 504 requires school districts to provide a free, appropriate public education (FAPE) to eligible students with disabilities. This means that the educational services provided to students with disabilities must be equivalent to the services provided to students without disabilities. All students who have been identified as eligible for special education services under the Individuals with Disabilities Education Act/Chapter 766 (IDEA) are also protected by Section 504. However, the same is not always true of students who qualify for Section 504. There are students who are not eligible for services or programs under IDEA, but who still may be determined to have a disability within the definition of Section 504. Section 504 accommodations are appropriate for those students who have a mental or physical impairment that “substantially limits one or more major life activities such as walking, hearing, speaking, breathing, learning, working, caring for oneself, and performing tasks.” (Please note the added emphasis on the words major and substantial, which determine eligibility.)

If school staff has reason to believe that because of a disability as defined under Section 504, a student needs either accommodations or related services in order to participate in the general school program, the school must evaluate the student. A group of persons knowledgeable about the student must interpret the meaning of the evaluation and other data, and must document all information considered in order to develop an Accommodation Plan. The school must then implement that Plan (commonly referred to as a 504 Plan).

Eligibility

A student is eligible for services under Section 504 when s/he:

1. Has a physical or mental impairment that substantially limits one or more major life activities. A physical or mental impairment may include, but is not limited to, physical disabilities or conditions, psychological disorders, and specific learning disabilities
2. Has a record of such an impairment
3. Is regarded as having an impairment

Major Life Activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Although not exhaustive, examples of the range and variety of disabilities included under Section 504 are provided below.

Non-ambulatory Disabilities	Physical impairments, regardless of cause, that require an individual to use a wheelchair. In this category are individuals who are paraplegic, quadriplegic, hemiplegic, or who have had a limb or limbs amputated, etc.
Semi-ambulatory Disabilities	Physical impairments that cause a person to walk with difficulty, perhaps with the assistance of crutches, walkers or braces
Coordination Disabilities	Impairments of muscle control of the limbs, resulting in faulty coordination
Sight Disabilities	Impairments affecting vision totally or partially
Hearing Disabilities	Impairments affecting hearing totally or partially
Speech Impairments	Impairments affecting totally or partially the ability to communicate orally
Mental and Emotional Disabilities	Impairments affecting such as attention deficit disorder or depression

Regulatory Requirements

Section 504 regulations require that all students with disabilities be provided:

- a free and appropriate public education (FAPE), including individually-designed programs
- equal access to programs and services, including non-academic and extra-curricular activities
- notice to parents or guardians with respect to Section 504 procedures
- determination of Section 504 eligibility, done by a team composed of people knowledgeable about: the student, the meaning of the evaluation data, and the placement options.
- evaluation data based on a variety of sources
- development of a 504 Plan, if deemed appropriate
- an annual review of the student's 504 plan and re-evaluation every three years
- due process/grievance procedures available to parents/guardians

Complaints

Somerset Public Schools and Somerset Berkley Regional School District does not discriminate in admission to, access to, treatment in, or employment in its services, programs, and activities, on the basis of race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA); or on the basis of age, in accordance with the Age Discrimination Act of 1975 (Superintendent's Circular, Equity, No. 4).

Any student, parents, and/or guardian who believes s/he has been the victim of discrimination or harassment based upon disability or who believes s/he has been denied a free appropriate public education to which s/he as a student with a disability is entitled, may file a complaint to the Section 504 Compliance Officer.

The District's Section 504 Coordinator is:

Lisa Martiesian
Section 504 Coordinator
Somerset Public Schools and Somerset Berkley Regional School District
580 Whetstone Hill Road
Somerset, Massachusetts 02726
Phone: 508.324.3100 ext. 217
E-mail: martiesianl@sbrregional.org

In addition to the district's complaint procedure, alleged violations for Section 504 may be referred to the United States Department of Education, Office for Civil Rights. That office is responsible for investigating complaints, monitoring compliance and conducting compliance reviews to ensure that local school systems are following the regulations and requirements cited above. Inquiries regarding the applicability of Title VI, Title IX, Section 504, the Americans with Disabilities Act, the Age Discrimination Act, and their respective implementing regulations to Somerset Public Schools and Somerset Berkley Regional School District may be directed to:

U.S. Department of Education
Office for Civil Rights (OCR)
5 Post Office Square
8th Floor
Boston, Massachusetts, 02109
(617) 289-0111

Role of the District Section 504 Coordinator

The District Section 504 Coordinator is responsible for overseeing allegations of discrimination or harassment based on disability, as outlined in the Section 504 Grievance Procedures (See Attachment).

Section 504 Referral Procedure

All Principals and other Administrative Heads are responsible for ensuring that students with disabilities within their jurisdiction have educational opportunities and benefits equal to those provided to students without disabilities. If a parent or school staff member believes a child may have a disability and may be entitled to accommodations and/or services under Section 504, the following procedures shall be followed:

	PROCEDURE	PERSON(S) RESPONSIB LE	APPLICABLE FORM(S)
1.	<p>504 REFERRALS FROM PARENTS Parents and/or guardians may request a Section 504 evaluation to the child’s teacher, school leader, other administrative staff, school nurse, school psychologist, school social worker, or guidance counselor.</p> <ul style="list-style-type: none"> - If the parent/guardian requests a 504 evaluation, the staff member shall provide a Section 504 Referral Form (Form 1) - If the parent/guardian requires assistance in writing the referral, the School-based 504 Coordinator shall follow established procedures to assist the parent in filling out the referral form 	Parent School Staff School-based 504 Coordinator	<p>Section 504 Referral Form (Form 1)</p>
	<p>504 REFERRALS FROM STAFF AND OTHER PROVIDERS Other individuals, such as a child’s teacher, school leader, administrative staff, school nurse, school psychologist, school social worker, or guidance counselor, may refer a student for a Section 504 evaluation. All SPS and SBRSD policies and procedures regarding confidentiality must be followed.</p>	School Staff School-based 504 Coordinator	<p>Section 504 Referral Form (Form 1)</p> <p>Section 504 Notice to Parents and accompanying</p>

	<ul style="list-style-type: none"> - When school staff, such as a teacher, school psychologist, nurse, or other staff, suspects that a child has a present disabling condition that substantially limits a major life activity, the school may refer the student to the Student Success Team prior to a referral for a 504 evaluation. - Upon receiving a third party 504 referral, school staff must immediately forward the form to the School-based 504 Coordinator for next steps. - Upon receipt of a third-party referral, parents/guardians <u>must be notified of the referral</u> indicating whether or not the school suspects the child has a present disabling condition that substantially limits a major life activity. 	IEP Team (in some cases)	documentation (Form 2, 3 4, 5)
2.	POST-REFERRAL Referrals from parents or third-parties should be sent to the School-based 504 Coordinator. The School-based 504 Coordinator shall sign and date the referral upon receipt.	School-based 504 Coordinator	
3.	PARENT/GUARDIAN NOTIFICATION AND CONSENT FOR EVALUATION Parents/guardians <u>must be notified of any referrals for Section 504 evaluation</u> . Appropriate school personnel shall send the Section 504 Notice to Parents (Form 2) and copies of information regarding Section 504 and Parent/Student rights (Forms 3 and 4) upon receipt of the third-party 504 referral. Prior to conducting an evaluation, the school must receive written consent from the parent/guardian.		Section 504 Notice of Referral to Parents (Form 2) Information Regarding Section 504 (Forms 3 & 4)
4.	504 EVALUATION STUDENTS INELIGIBLE UNDER IDEA If the student has gone through the IDEA referral and evaluation process and is deemed ineligible for an IEP, the student shall be referred to the school's Section 504 team to determine eligibility. Current evaluation data through the IDEA process can be used to assist in the determination of 504 eligibility. The Section 504 team has the discretion to obtain additional information. *This may occur at the conclusion of the IEP process	IEP Team School-based 504 Coordinator Section 504 Team	IEP Evaluation Data
	504 EVALUATION If the Section 504 school team suspects that the student may be qualified under Section 504, the team must move forward with a full Section 504 evaluation. <ul style="list-style-type: none"> - The Section 504 team shall include people knowledgeable about the student and able to understand and interpret evaluation and assessment data. Recommended members for the team include, but are not limited to: the child's general education teacher(s), parents/guardians, nurses, guidance advisors, and other 	School-based 504 Coordinator Section 504 Team	Section 504 Invitation to Attend (Found in Aspen)

	<p>appropriate staff.</p> <ul style="list-style-type: none"> - The Section 504 Team will plan the evaluation process and gather information about the student from a variety of sources. The evaluation process includes the gathering of information and may include assessments conducted by designated individuals. - Assessors will be selected based on their knowledge and expertise in the area of the referring disability, their knowledge of the student, and other relevant factors - Parents/guardians <u>must be sent written notice of the meeting and an invitation to attend.</u> The School team will make reasonable efforts to include the parent throughout this process. 		
5.	<p>DETERMINATION OF ELIGIBILITY</p> <p>Upon completion of the evaluation process, the Section 504 team shall notify the parent/guardian in writing whether the student is eligible under Section 504.</p> <ul style="list-style-type: none"> - If the student is found to be eligible, the school team will determine the services and accommodations needed by the student based on the disability and evaluation data, if necessary. The accommodations and/or modifications must be specific and related to an educational need. - If the student is found to be not eligible, the school team should provide the parent/guardian with notice and information regarding Section 504 eligibility and a copy of the Section 504 Grievance Procedures 	<p>School-based 504 Coordinator</p> <p>Section 504 Team</p>	<p>Determination of Eligibility (Form 7 or 8)</p> <p>Section 504 Grievance Procedures (Form 5)</p>
6.	<p>SECTION 504 PLAN</p> <p>If necessary, the Section 504 team will develop a Section 504 Plan for the student. <u>Consent of the parent/guardian must be obtained before implementing the plan.</u></p>	<p>Section 504 Team</p>	<p>Section 504 Plan is found in ASPEN</p>
7.	<p>IMPLEMENTATION</p> <p>Upon development of the Section 504 Plan, the School-based 504 Coordinator will provide copies of the Plan or notify that the Plan can be viewed in Aspen to the following persons:</p> <ol style="list-style-type: none"> 1. The parent/guardian 2. The child's general education teachers 3. The school nurse, when applicable 4. The school psychologist, when applicable 5. Student's permanent file <p>When necessary, the appropriate school personnel will also receive training for certain accommodations, as determined by the Section 504 team.</p>	<p>School-based 504 Coordinator</p>	
8.	<p>PERIODIC REVIEW</p>		

	<p>A review of the student’s Section 504 Plan will be conducted on an annual basis, unless the parent/guardian or other school staff determines a need to review it sooner or more frequently.</p> <p>Re-evaluations should be completed every three years, or when a significant change in placement or services is being considered.</p> <p>Parents/guardians and/or teachers may request a meeting at any time to modify or update the plan. If there are changes to the plan, all teachers and providers responsible for implementation must be notified of any changes to the plan.</p>	<p>School-based 504 Coordinator</p>	<p>Section 504 Plan (Found in Aspen)</p>
<p>9.</p>	<p>MAINTENANCE OF RECORDS</p> <p>The School-based 504 Coordinator will keep a record of all Section 504 plans in the school in a secure location.</p> <p>The District’s Section 504 Coordinator will keep a log of all Section 504 plans in the district. The School-based 504 Coordinator and/or appropriate personnel will be responsible for providing the District Section 504 Compliance Officer with updated records.</p>	<p>School-based 504 Coordinator</p> <p>District Section 504 Coordinator</p>	

Attachments:

- Form 1: Section 504 Referral Form
- Form 2: Section 504 Notice of Referral to Parents
- Form 3: Information Regarding Section 504 of the Rehabilitation Act of 1973 and The Family Education Rights and Privacy Act
- Form 4: Parent/Student Rights
- Form 5: Section 504 Grievance Procedure for Student Complaints
- Form 6: Section 504 Grievance Form
- Form 7: Notice of Determination of Eligibility
- Form 8: Notice of no finding of eligibility for Section 504

FORM 1

Somerset Public Schools and Somerset Berkley Regional School District

SECTION 504 REFERRAL FORM

I. Student Information

Student Name: _____

Student ID: _____

D.O.B.: _____

School: _____

Grade: _____

Home Room: _____

Referral From: _____ Role/Relation to Student: _____

Date of Referral: _____

Parent/Guardian(s): _____

Telephone: (h) _____ (c): _____

Race/Ethnicity: _____ Gender: _____

II. Background Information

Reason for Referral (attach additional pages, if necessary):

Please indicate which major life activity(s) and/or major bodily functions appear to be limited:

- | | | | |
|---|--|--|---|
| <input type="checkbox"/> Caring for self | <input type="checkbox"/> Eating | <input type="checkbox"/> Seeing | <input type="checkbox"/> Hearing |
| <input type="checkbox"/> Sleeping | <input type="checkbox"/> Breathing | <input type="checkbox"/> Standing | <input type="checkbox"/> Speaking |
| <input type="checkbox"/> Communicating | <input type="checkbox"/> Concentrating | <input type="checkbox"/> Perform Manual Tasks | <input type="checkbox"/> Walking |
| <input type="checkbox"/> Lifting | <input type="checkbox"/> Bending | <input type="checkbox"/> Learning | <input type="checkbox"/> Reading |
| <input type="checkbox"/> Immune System Function | <input type="checkbox"/> Respiratory Function | <input type="checkbox"/> Normal Cell Growth | <input type="checkbox"/> Thinking |
| <input type="checkbox"/> Digestive Function | <input type="checkbox"/> Bladder Function | <input type="checkbox"/> Neurological Function | <input type="checkbox"/> Working |
| <input type="checkbox"/> Circulatory Function | <input type="checkbox"/> Reproductive Function | <input type="checkbox"/> Endocrine Function | <input type="checkbox"/> Brain Function |
| <input type="checkbox"/> Other: _____ | | | |

Indicate specifically how the major life activity and/or major bodily function is being limited:

Strategies/Interventions to Date (attach copies of documentation):

Parent (or person making referral): _____

Date: _____

Signature of School-based Section 504 Coordinator

Date of Receipt: _____

This referral must be:

- Provided to the School-based 504 Coordinator
- Signed by the School-based 504 Coordinator
- Copied and provided to the parent
- Placed in the student's education file

FORM 2

Somerset Public Schools and Somerset Berkley Regional School District
NOTICE OF REFERRAL FOR SECTION 504 EVALUATION

Student Name: _____ Student ID: _____ D.O.B.: _____
 Race/Ethnicity: _____ Gender: _____
 School: _____ Grade: _____
 Referral Date: _____ Referred by: _____

Date: _____

[PARENT/GUARDIAN]
 [ADDRESS]

Dear [Parent/Guardian],

Your child may have a disability as defined by Section 504 of the Rehabilitation Act of 1973 and has been referred for a 504 Evaluation. Please review the enclosed materials regarding Section 504 of the Rehabilitation Act of 1973.

Somerset Public Schools/Somerset Berkley Regional School District IS requesting your consent to conduct the following assessments to determine your child's eligibility for a 504 Plan and to support your child's educational planning.

Evaluation Procedures	Person Responsible

Your participation in this process is extremely important. Please indicate your consent for this evaluation by checking the appropriate box below and returning this signed notice to the school. Upon receipt of your signature, the 504 Coordinator will invite you to an eligibility determination meeting to review all assessment results and discuss eligibility for a 504 plan.

_____ I want the 504 Evaluation to proceed.
_____ I do not want the 504 Evaluation to proceed

Parent/Guardian Signature: _____

Print name: _____

Date: _____

PLEASE RETURN TO COORDINATOR WITHIN 10 DAYS

Enclosures: Information Regarding Section 504 (Form 3)
Parent/Student Rights (Form 3)

504 Due Process/Grievance Procedures (Form 5)

Somerset Public Schools and Somerset Berkley Regional School District

**INFORMATION REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973
AND THE FAMILY EDUCATION RIGHTS AND PRIVACY ACT**

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working); or
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, Somerset Public Schools/Somerset Berkley Regional School District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any of the programs, services, activities and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate and if the child is determined to be eligible under Section 504, to afford access to appropriate educational programs, services and activities.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to an impartial due process hearing before the Massachusetts Department of Elementary and Secondary Education, Bureau of Special Education Appeals.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This act gives the parent or guardian the right to: 1) inspect and review his/her child's educational records; 2) make copies of these records; 3) receive a list of all individuals having access to those records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and 6) a hearing on the issue if the school refuses to make the amendment.



FORM 4***Somerset Public Schools and Somerset Berkley Regional School District*****PARENT/STUDENT RIGHTS
(Section 504 of the Rehabilitation Act of 1973)**

The following is a description of the rights granted by federal law to students found to be eligible under Section 504 of the Rehabilitation Act. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

- have your child take part in, and receive benefits from, public education programs or activities without discrimination based on his/her disability;
- be notified by the school district of your child's rights under Federal law (this document provides that notice);
- receive notice with respect to identification, evaluation or placement of your child;
- have your child receive a free appropriate public education in the least restrictive environment. This includes, to the maximum extent possible, the right to be educated with children who are not disabled, and the right to reasonable accommodations that allow your child an equal opportunity to participate in school-related activities, including nonacademic and extracurricular activities. Parents/guardians are responsible for the same costs as the parents/guardians of children who are not disabled;
- have your child educated in or have access to services, facilities and activities comparable to those provided to nondisabled students;
- have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know your child and who are knowledgeable about the evaluation data and placement options;
- to have your child receive special education and related services if he/she is found eligible under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act;
- review relevant educational records related to your child that are maintained by the school. You may also obtain a copy of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
- a response from the school district to reasonable requests for explanations and interpretations of your child's records;
- present a grievance or complaint to the school district's Section 504 Compliance Officer. The district's Section 504 Compliance Officer is: Lisa Martiesian, Director of Special Education, 580 Whetstone Hill Road, Somerset, MA 02726 (Phone: (508) 324-3100);
- to contest an action taken by a Section 504 team by means of an impartial due process hearing. A Request for Hearing must be submitted to: Bureau of Special Education Appeals (BSEA), One Congress Street, 11th floor, Boston, MA 02114, or by fax to the BSEA at 617-626-7270 (A copy of the written request for hearing must also be provided to the districts' Section 504 Compliance Officer); and

- to file a complaint with the Office of Civil Rights of the United States Department of Education, 5 Post Office Square, 8th floor, Boston, MA 02109-3921; Phone: (617) 289-0111 or Fax: (617) 289-0150.

The school personnel who are responsible for assuring compliance with Section 504 and coordinating the evaluation process are:

Principal: _____

School-based 504 Coordinator: _____

District Section 504 Compliance Officer: **Lisa J. Martiesian, Director of Special Education**

FORM 5***Somerset Public Schools and Somerset Berkley Regional School District*****SECTION 504 –PROCEDURE FOR STUDENT COMPLAINTS****PURPOSE**

The purpose of the Section 504 – Grievance Procedure for Student Complaints is to address complaints of disability discrimination under Section 504 and Title II. The intent of these uniform procedures is to assure that, to the greatest extent possible, grievances of discrimination or harassment are resolved in a positive spirit. All complaints will be received and investigated in a fair and expeditious manner. The District will take affirmative steps to address and correct any substantiated finding of discrimination.

This policy does not deny the right of the complaining party to file formal complaints at any time with the U.S. Department of Education, Office for Civil Rights or to seek private counsel for complaints alleging discrimination.

GENERAL POLICIES

- a. Retaliation against any student, family member or other third party for processing a grievance or participating in any way in the grievance procedure is strictly prohibited.
- b. Whenever possible, conferences should be scheduled during a mutually convenient time that does not conflict with regularly scheduled school programs.
- c. The filing of a complaint shall not be construed as reflecting unfavorably on a student, family or other third party's good standing, performance, loyalty, or desirability to the Somerset Public Schools/Somerset Berkley Regional School District.
- d. Personal information regarding the complainant, the alleged harasser, and the witnesses will be protected from disclosure to the extent permitted by the investigative process and the nature of the complaint.
- e. In determining whether alleged conduct constitutes discrimination or harassment, the Superintendent or his or her designee will consider the surrounding circumstances, the nature of the 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 this policy requires a determination based on all of the facts and surrounding circumstances.

PROCEDURES***I. Informal Complaints***

Students, families and other third parties are encouraged, where appropriate, to attempt to resolve complaints regarding an alleged discriminatory practice on an informal basis. A student who chooses to seek informal resolution of his or her complaint should present the complaint to the principal or to any school administrator with the authority to resolve the complaint. Upon receiving an informal complaint regarding an allegedly discriminatory practice, the school official

shall attempt, within his/her authority, to work with the individual to resolve the complaint fairly and expeditiously.

Students, families or other third parties who do not wish to seek informal resolution of their discrimination complaints, or who are dissatisfied with attempts at informal resolution, may also present their complaints directly to the District Section 504 Compliance Officer.

II. Formal Complaints

Section A. A student, family or third party who is dissatisfied with the attempts to resolve his or her complaint informally, or who wishes to bypass the informal complaint procedures entirely, may also seek formal resolution of his or her complaint. Nothing in this policy shall prevent a student from reporting discrimination or harassment directly to the District Section 504 Compliance Officer.

Section B. A student, family or third party may file a formal complaint with the District Section 504 Compliance Officer by filling out a Discriminatory Practice Review/Student Grievance Form (the last 2 pages of this document) after the alleged discriminatory practice occurred. It is advised to file this complaint as close to the incident as possible, as complaints are more easily resolved at the time of the incident. Complaints should be received no later than thirty (30) calendar days after the alleged conduct occurred unless extenuating circumstances exist. The Discriminatory Practice Review/ Grievance Form asks the complainant to state the name of the individual against whom the complaint is being filed, the location of the school/department where the alleged discriminatory practice occurred, the basis for the complaint, and the corrective action that the student is seeking. In the event a student is unable to complete the form the District Section 504 Compliance Officer shall take such information in person.

Section C. After a student files a formal written complaint, the District Section 504 Compliance Officer may, within five (5) school days, give written notification to the appropriate school/department identified in the complaint and to the individual against whom the complaint has been filed.

The District Section 504 Compliance Officer- shall make a thorough and expeditious investigation of the complaint. At a minimum, the investigation shall include contacting the complainant and the person against whom the complaint was filed and/or the principal or appropriate authority involved. The investigation may include a private interview with the person filing the complaint. The Investigator may also contact those individuals that have been identified as having pertinent information related to the complaint or other individuals that he/she believes would be useful to the investigation.

Section D. After completing the formal investigation of the complaint, the District Section 504 Compliance Officer may request a meeting with the person against whom the complaint was filed and/or the supervisor or appropriate authority involved, to discuss the findings and recommended resolutions from the District Section 504 Compliance Officer. The results of the District Section 504 Compliance Officer's investigation shall be reduced to written findings of fact. Upon completion of the investigation, to the extent appropriate, the person filing the complaint and the person alleged to have committed the conduct will be informed of the results of that investigation

in writing. A copy of the final determination as to whether a discriminatory act has occurred shall be furnished to the appropriate administrator/supervisor, and the Superintendent of Schools.

Section E. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. Most complaints are resolved within thirty (30) school days after the formal complaint is received. If more than thirty (30) school days is required for the investigation, the District Section 504 Compliance Officer may inform the complainant of the need for extended time and of the reason why additional time is required to complete the investigation. If additional extended time is needed this step may be repeated every (30) school days until the complaint is resolved.

Section F. If the District Section 504 Compliance Officer finds that there is reasonable cause for believing that a discriminatory practice has occurred, he/she will determine ways to resolve the matter.

District Section 504 Compliance Officer:

1. Take seriously all complaints of discrimination or harassment
2. Take necessary steps to end any discrimination or harassment that is determined.
3. Take necessary steps to prevent this discrimination or harassment from happening again in the future.
4. When appropriate, individuals found at fault of discrimination or harassment may be referred for disciplinary action.

For employees such action may include written warning, suspension, termination or another action deemed appropriate under the circumstance.

For students such action may include suspension, expulsion or another action deemed appropriate under the circumstance.

Section G. If the District Section 504 Compliance Officer determines that there is not sufficient cause to believe that the employee or applicant has been discriminated against, and there is no basis for corrective action, the District Section 504 Compliance Officer will give written notification of that determination to the employee or applicant at that point.

Section H. If satisfactory resolution is not reached through either the informal or formal resolution procedures detailed above, the student, family or third party making the complaint may submit a written appeal to the Superintendent of Schools within thirty (30) days of the District Section 504 Compliance Officer's determination. The Superintendent of Schools or designee will respond, in writing, within fifteen (15) working days.

Section I. District Section 504 Compliance Officer will maintain records of all complaints of discrimination and harassment made to the District Section 504 Compliance Officer, noting the school or department in which the complaint occurred, the person accused, and the results of the investigation of any such complaints.

The District Section 504 Compliance Officer will annually review records to identify any patterns or issues for future training and take appropriate action as necessary. The District's Section 504 Compliance Officer will report the results of its annual reviews to the Superintendent of Schools.

STATE AND FEDERAL REMEDIES

Using the Somerset Public Schools/Somerset Berkley Regional School District's complaint process does not prohibit you from also filing a complaint with a state or federal agency. Most of these agencies have a short time period for filing a claim (OCR – 180 days; ESE – within same school year)

United States Department of Education Office for Civil Rights (OCR)

John W. McCormack Post Office and Courthouse
5 Post Office Square,
8th Floor, Suite 900
Boston, MA 02109
(617) 289-0111

Massachusetts Department of Elementary & Secondary Education (ESE)

350 Main Street
Malden, MA 02108
(781) 388-3300

FORM 6

Somerset Public Schools/Somerset Berkley Regional School District

**SECTION 504
DISCRIMINATORY PRACTICE REVIEW/
GRIEVANCE FORM**

NAME: _____ DATE: _____

ADDRESS: _____

Home Phone # _____ Cell Phone # _____

Work Phone # _____ E-mail address _____

Student DOB: _____ Grade: _____ School: _____

Basis for complaint:

Date Most Recent or Continuing Discrimination (month, day, year – time if applicable):

Person(s) the allegation is against (include position and/or title if applicable):

Witness(es) to the allegation (include position and/or title if applicable):

Somerset Public Schools and Somerset Berkley Regional School District
NOTICE OF DETERMINATION OF ELIGIBILITY

Student Name: _____ Student ID: _____ D.O.B.: _____
Race/Ethnicity: _____ Gender: _____
School: _____ Grade: _____
Referral Date: _____ Referred by: _____

Dear Parent / Guardian,

Your child has been determined eligible for services and/or accommodations under Section 504 of the Rehabilitation Act of 1973. A 504 Evaluation Team met on _____ to review the information gathered and evaluation findings. The team has determined the services and accommodations needed by your son/daughter based on his/her disability and the evaluation data.

Please read the attached 504 Plan carefully. This Plan describes the specific services and accommodations which have been recommended by the team. If you have any questions regarding this Plan, or need additional information, please contact: _____ at _____.

Before this Plan can be implemented, you must provide your written consent to implement these services for your child. Please sign the bottom portion of this notice and return it in the enclosed envelope or return it to your child's school.

I _____ (Parent's Name) have received and reviewed the proposed 504 Plan for _____ (Student's Name), my son/daughter. By signing below, I hereby provide consent for the recommended services and accommodations to be implemented as proposed.

Parent/Guardian Signature _____ Date _____

Enclosure: 504 Due Process / Grievance Procedures

PROCEDURAL SAFEGUARDS

- Yes • No Parent sent "Information Regarding Section 504" and copy of Parent/Guardian/Student's rights before meeting.
- Yes • No Parent sent "Invitation to Attend 504 Meeting" on _____/_____/_____.
- Yes • No Student of age 17 years, parent/guardian and student notified of rights that will transfer to student at age 18 years of age.
- Yes • No Student at age 18 years, given notice of above procedural safeguards.

Somerset Public Schools and Somerset Berkley Regional School District

NOTICE OF NO FINDING OF ELIGIBILITY FOR SECTION 504

Student Name: _____ Student ID: _____ D.O.B.: _____
Race/Ethnicity: _____ Gender: _____
School: _____ Grade: _____
Referral Date: _____ Referred by: _____

Dear Parent/Guardian,

It has been determined by a 504 Evaluation Team which met on _____, _____, that your son/daughter is not eligible for services and/or recommendations under Section 504 of the Rehabilitation Act of 1973.

You have the right to request an explanation for this decision and/or to file a grievance through the 504 Grievance Procedure; file a complaint with the United States Department of Education, Office for Civil Rights; or request assistance from the Massachusetts Department of Elementary and Secondary Education (see attachment).

We are committed to working with you and may be able to identify other instructional strategies to meet the educational needs of your son/daughter. If you would like to discuss these findings, please contact _____ at _____

School-based 504 Coordinator

School Name

Enclosure: 504 Grievance Procedures
