

SCHOOL DISTRICT LEGAL STATUS - File 1.1

The legal basis for education in the Quincy Public Schools is vested in the will of the people as expressed in the Constitution of the state, the statutes pertaining to education, court interpretation of the validity of these laws, and the power implied under them.

Under the General Laws of Massachusetts,

“ ... Every town shall maintain ... a sufficient number of schools for the instruction of all children who may legally attend a public school therein.”

The public educational system of Quincy structurally is a department of the city operated under laws pertaining to education and under regulations of the Massachusetts Board of Education.

Established by law

LEGAL REFS: Constitution of Massachusetts, Part II, Chapter V,
 Section II M.G.L. 71:1

Historical Note: Massachusetts has the oldest public school system in the nation. Dating back to 1647, the laws of the Massachusetts Bay Colony required towns to provide for a program of public education.

THE PEOPLE AND THEIR SCHOOL DISTRICT – File 1. 2

The school committee has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' expectations for the education of the community's youth. It also has an obligation to determine and assess the citizens' desires. When citizens elect delegates to represent them in the conduct of public education, their representatives have the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The school committee therefore affirms and declares its intent to:

1. Maintain two-way communications with the citizens of Quincy. The public will be kept informed of the progress and problems of the school system, and citizens will be urged to bring their aspirations and feelings about their public schools to the attention of the committee, which they have chosen to, represent them in the management of public education.
2. Establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this committee will be made with priority given to the purposes set forth, most crucial of which is the optimal *learning of* the children enrolled in our schools.
3. Act as a truly representative body for members of the community in matters involving public education. The committee recognizes that ultimate responsibility for public education rests with the state, but that individual school committees have been assigned specific authority through state law. The school committee will not relinquish any of this authority since it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

Current practice codified 1990

Adopted: Date of Manual Adoption

COMMUNITY INVOLVEMENT IN DECISION MAKING – File 1.2.1

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 judgments about the schools to the school administration, staff, any appointed advisory boards and 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.

Current practice codified 1990

Adopted: Date of Manual Adoption

SCHOOL COUNCIL INVOLVEMENT IN SITE DECISION MAKING – File 1.2.2

“The school council shall meet regularly with the principal of the school and shall assist in the identification of the educational needs of students in the review of the annual school building budget, and in the formulation of a school improvement plan.” In addition under G.L. Ch.71, S. 37H, “In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook, setting forth the rules pertaining to the conduct of students.”

LEGAL REFS: M.G.L. 71:1 Section 59C
 Massachusetts School Councils

STUDENT INVOLVEMENT IN DECISION MAKING – File 1.2.3

As appropriate to the age of students, class, or school organizations and school government organizations, such as student councils may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

Student Advisory Committee

As required by state law, the committee will meet at least once every other month while school is in session with its student advisory committee, which is composed of five students elected by the high school student body.

School Councils

A council is composed of elected and appointed representatives of the school and community. The law specifies that the council is to consist of: parents and students attending the school; teachers; and other persons drawn from such groups or entities as municipal government, business and labor organizations, institutions of higher education, human service agencies or other interested groups, including those from school-age child care programs. For schools containing any of grades nine to twelve, there should be at least one student on the council.

Current practice codified 1990

Adopted: Date of Manual Adoption
LEGAL REF: M.G.L. 71:38M
 M.G.L. 71, Section 59C

**AFFIRMATIVE ACTION/EQUAL EMPLOYMENT
OPPORTUNITY/NONDISCRIMINATION****File 1. 3**

Policy Statement of the School Committee of the City Of Quincy for an Affirmative Action Program Introduction: Equal Opportunity in the Quincy Public Schools

In October of 1978, the Quincy School Committee approved the following policy statement for an affirmative action program. This program consists of a series of specific procedures to ensure equal employment opportunities for all Quincy Public Schools employees. A copy of the policy statement may be obtained from the personnel department.

The superintendent's non-discrimination policy statement is disseminated to all students in the Quincy Public Schools.

The Quincy Public Schools is committed to ensuring that all students and employees receive equality of opportunity while pursuing their career or their education in Quincy. Questions about policies and procedures regarding equitable treatment should be referred to the Personnel Department.

The Quincy Public Schools does not discriminate on the basis of race, color, sex, sexual orientation, religion, national origin, or handicap, in its educational activities or employment practices as required by Title IX of the 1972 Federal Education Amendments, by Section 504 of the 1973 Rehabilitation Act, and by Chapter 622 of the General Laws for the State of Massachusetts.

The superintendent of schools, under the direction of the school committee, shall be the executive officer responsible for the good faith implementation of the specific procedures herein set forth to attain equal employment opportunities for all persons.

The superintendent of schools under the direction of the school committee shall make an annual "work force analysis." The work force analysis shall consist of a list of all of the professional and non-professional positions, which are currently in existence. In addition, the list shall indicate for each position the sex of the individual holding the position and whether such individual is a member of any of the minority groups.

**AFFIRMATIVE ACTION/EQUAL EMPLOYMENT
OPPORTUNITY/NONDISCRIMINATION
File 1. 3 (cont.)**

The utilization and availability analysis shall consist of a report of all of the areas of employment in the school system in which women and members of minority groups are underutilized. Under-utilization occurs when there are fewer women and members of minority groups employed in any area of employment than would reasonably be expected by the availability of such persons. The availability of women and members of minority groups is determined by many factors, such as the number of such persons in the City of Quincy who are employed, the percentage of the female and minority work force as compared to the total work force in the city, the general availability of women and members of minority groups who have the requisite skills in any areas in which the school committee can reasonably recruit, and the availability of women and members of minority groups employed by the school committee who may be promoted to higher ranking positions.

The superintendent, under the direction of the school committee, shall develop "goals and timetables" for the purpose of alleviating any of the deficiencies in employment which may be found to exist due to the under-utilization of women and members of minority groups. The goals and timetables shall be reasonable and flexible targets for the attainment of equal employment opportunities for all persons.

The school committee shall make good faith efforts to attain these goals and timetables, which shall not be quotas.

The superintendent, under the direction of the school committee, shall ensure that all advertisements for employment state that qualified applicants will receive equal consideration for employment without regard to race, color, religion, sex, sexual orientation, handicap or national origin. The superintendent, under the direction of the school committee, may also ensure that women and members of minority groups are used as recruiters and that they make special efforts to recruit women and minority groups for employment.

The superintendent, under the direction of the school committee, shall develop a monitoring system which will enable him to make periodic reports to the school committee relative to the progress made by the schools in attaining the goals of the affirmative action program.

**AFFIRMATIVE ACTION/EQUAL EMPLOYMENT
OPPORTUNITY/NONDISCRIMINATION
File - 1. 3 (continued)**

The superintendent, under the direction of the school committee, shall ensure that the provisions of this affirmative action program are publicized to the employees. This may be accomplished by giving to each representative of employees with whom the employer has a collective bargaining agreement a copy of this affirmative action program, by posting notices of the program in conspicuous places available to employees and applicants for employment, and by conducting meetings with employees for the purpose of discussing the contents of this program.

Current practice codified 1990

Adopted: October 18, 1978

LEGAL REFS: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of 1972
Title IX, Federal Education Amendments of 1972 Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, as amended 10/24/78
Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

NONDISCRIMINATION ON THE BASIS OF HANDICAP – File 1.3.2

Section 504 of the Rehabilitation Act of 1973 and its accompanying regulations apply to all school systems receiving federal funds. Under this act, a school system:

1. May not discriminate against qualified handicapped persons in any aspect of school employment solely on the basis of handicap.
2. Must make facilities, programs, and activities accessible, usable and open to qualified handicapped persons.
3. Must provide free, appropriate education at elementary and secondary levels, including non-academic and extracurricular services and activities, to qualified handicapped persons.
4. May not exclude any qualified handicapped person solely on the basis of handicap from participation in any pre-school education or day care program or activity, or any adult education or vocational program or activity.
5. Must provide each qualified handicapped person with the same health, welfare, and other social services that are provided to others.

The school system receives federal financial assistance and must comply with the above requirements. Additionally, the school committee is of the general view that:

Discrimination against a qualified handicapped person solely on the basis of handicap is unfair; and to the extent possible, qualified handicapped persons should be in the mainstream of life in a school community.

Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of this committee to ensure nondiscrimination on the basis of handicap.

Current practice codified 1990

Adopted: Date of Manual Adoption

LEGAL REFS: Rehabilitation Act of 1973, Section 504
 Education for All Handicapped Children Act of 1975
 M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

Board of Education Chapter 766 Regulations, adopted
 10/74, as amended through 3/28/78

CROSS REFS: Nondiscrimination, Equal Opportunity Employment
 Equal Educational Opportunities
 Special Instructional Programs and Accommodations
 Programs for Handicapped Students

EDUCATIONAL PHILOSOPHY - File 1.4**CREDO**

A democratic society is an aggregate of the individuals who comprise it. Its operation and values being established by the actions and interactions of these individuals over a period of time cumulatively.

In a democratic society, the optimum development of the individual becomes both a human right and an essential to maximum contribution to the common good—be it national defense, The national economy, or national stability In terms of family and community living.

That, at public expense, all children—regardless of ability or background—be ministered unto suitably, becomes a mandate.

That public education should concern itself with personal and civic duties, With the American heritage and way of life;

That it should stir us—adult and child --with our responsibility to other peoples—different, remote, deprived.

That it should concern itself with learning the desire for it and appreciation of it, with the acquirement of marketable skills, with thought, reason, and action at individual initiative.

That it should highlight the interrelationships of human beings, and give meaning to personal dignity and social worth.

That it should concern itself with health and well-being and hold high in esteem those things that sensitize to beauty and are enhancing of spiritual values.

That public education should seek to function thus comprehensively is implicit in its nature.

The task at local levels is that of implementation, the question to be deliberated:

What provisions and services are required?

Current practice codified 1990

Adopted: Prior to 1990

SCHOOL DISTRICT GOALS AND OBJECTIVES – File 1.5**MISSION STATEMENT**

The mission of the Quincy Public Schools is the development of individuals who are maximally competent as:

self-fulfilling individuals,
citizens,
and workers
In a world that is maximally effective for all.

Every school's mission statement is part of their School Improvement Plan and must be approved as part of that plan.

The middle schools' mission emphasis is on the Personalized Education of Emerging Adolescents. A copy of the middle school mission profile and goals paper may be obtained from the middle school principals.

The high schools have adopted Learning, Responsibility, Adulthood as their mission statement. A copy of the mission profile/five-year goals, plan and program may be obtained from the high school principals.

GOALS

The Quincy Public Schools System has the responsibility to maintain learning environments, which encourage learners of all ages to demonstrate the value of life through:

- A development of individuality
- A development of aesthetic potential
- A life style of inquiry
- A self-motivated learning style
- Individual expression
- Marketable skills
- An ability to cope with and/or guide change
- Fundamental processes/basic skills
- Good physical and mental health
- Scientific literacy.

Revised: 2005
Adopted: Prior to 1990

EVALUATION OF SCHOOL COMMITTEE OPERATIONS – File 1.6

The school committee will periodically establish realistic objectives related to committee procedures and relationships. At the end of a specified length of time, the committee will measure its performance against the stated objectives.

The following areas of school committee operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Communication with the public
2. School committee - superintendent relationships
3. School committee - staff relationships
4. School committee member development and performance
5. Policy development
6. Educational leadership
7. Fiscal management
8. School committee meetings
9. Performance of subcommittees of the school committee
10. Interagency and governmental relationships.

When the committee has completed its self-evaluation, the members will discuss the results in detail and formulate a new series of objectives. At the same time, the committee will set an approximate date on which the next evaluation will be conducted.

Implied in the concept of evaluation is an assumption that individuals and committees are capable of improvement. The School Committee believes that its performance will be improved if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

Adopted: Date of Manual Adoption.

Revised: September 21, 2005

WELLNESS POLICY File: 1.7**Policy Statement/Definition**

The Quincy Public Schools is committed to providing the school community with education, activities, and opportunities that enhance the development of lifelong wellness practices.

This policy statement, its goals, and its guidelines is meant to address the nutritional, emotional, physical, and social aspects of wellness; and to promote the healthy practices that lifelong wellness requires.

GOALS

1. To implement a sequential wellness program at every level (elementary, middle, high school) of our school system.
2. A system level Wellness Team will be established to:
 - Oversee Programs (Elem/Middle/High)
 - Publish a Biannual Community Wellness Newsletter with links to the web.
 - Coordinate and Communicate with school Wellness Teams and provide them with a framework within which to address issues of nutrition education, physical activity, and other school based activities which promote wellness.
 - Coordinate other wellness-related teams
 - Members will include:
 - Community Reps (Esp Food Industry)
 - Coord Health Services
 - Coord Food Services
 - Director of Student Support Services
 - Assistant Superintendent
 - Assistant Superintendent
 - Principals/Staff
3. A Wellness Team will be established in every Quincy Public School. This team will include the principal (or designee), nurse, teacher/s, guidance counselor and food service manager. It will guide its school's progress toward all aspects of wellness through communication with parents, staff, and student.

The team will also assist in the implementation of the system-level sequential wellness program cited in goal #1.

WELLNESS POLICY File: 1.7
(Continued)

4. The QPS Professional Development Team will collaborate annually with the system-level Wellness Team to publish a booklet that confirms and promotes at least 10 hours of Professional Development opportunities that award Professional Development Points and increase our staff's knowledge of current aspects of wellness.
5. The QPS will offer programs to our staff that encourage/promote their own wellness. A description of these programs will be included in the booklet referred to in #4.
6. All state and federal laws that apply to food services on school campuses will be obeyed and enforced in all Quincy Public Schools and properties.
7. During the school day, all foods available on-campus to students will comply with current USDA regulations prohibiting foods of minimum nutritional value (i.e. no candy, gum, or soda)

Individual Wellness Teams may set stricter nutrition-related guidelines for their respective schools.

Adopted: June 2006

LEG.REF: The Child Nutrition and WIC Reauthorization Act of 2004,
 Sec. 204, P.L. 108-263
 The Richard B. Russell National School Lunch Act, 42 U.S.C.
 Sec. 1751-1769h
 The Child Nutrition Act of 1966, 42 U.S.C. Sec. 1771-1789

HARASSMENT POLICY File: 1.8

It is the policy of the Quincy Public Schools to provide a learning and working atmosphere free from harassment, including sexual harassment. The Quincy Public Schools expect all members of our community to treat each other with dignity and respect. Harassment, or any of its manifestations, on the basis of race, national origin, religion, age, sex, sexual orientation, ability, or disability, will not be tolerated.

DEFINITION

Harassment is conduct or speech which is unwelcome, intimidating, derogatory, hostile and/or offensive; and has the purpose, or effect, of unreasonably interfering with a student's ability to learn or a staff member's ability to work by creating a hostile environment.

Conduct includes, but is not limited to: gestures, "body language," speech, or physical contact; it also includes writing, displaying pictures, or making drawings.

Sexual harassment may include, but is not limited to: unwelcome sexual advances, requests for sexual favors, and other offensive, verbal, visual, or physical conduct of a sexual nature./ Sexual harassment may encompass a range of behaviors, including sexual insults and name-calling, off-color jokes, intimidation by word or actions, threatening telephone calls, stalking, and offensive touching.

Harassment may be student-to-student, student-to-staff, staff-to-students, or staff-to-staff. By law, sexual harassment is conduct which is deemed harassing by a reasonable person. False accusations of sexual harassment can have serious detrimental effects on innocent parties.

LAWS GOVERNING HARASSMENT

Sexual harassment, involving public educational institutions and educators, with regard to employees, is governed by TITLE VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. section 2000e, 42 U.S.C. Section 1983 and Equal Protection.

Students have a cause of action for sexual harassment against institutions that receive federal funding under TITLE IX of the Education Amendments of 1972.

If sexual harassment involves a minor student in a school setting, it is a criminal offense under laws relating to child abuse. Chapter 119, Section 51A of the Massachusetts laws requires the reporting of such acts.

HARASSMENT POLICY File 1.8 (cont.)

Additionally, Massachusetts statues which address sexual harassment are Chapter 151B and 151C.

PROCEDURES FOR REPORTING AND CONDUCTING AN INVESTIGATION

The response to and resolution of complaints will be guided by the following goals:

- Focus on educating and changing behavior rather than simply punishing the offender
- Engage students and staff in dialogue so that they may understand the impacts of behavior and attitudes
- Maintain the confidentiality of victims and offenders by involving as few people as possible
- Protect the complainant from retaliation
- Ensure prompt and thorough attention to all complaints.

Students or staff who feel they are being sexually harassed or have questions about such are urged to consult any staff person or administrator with whom they feel comfortable. The method of reporting the concern may be verbal or in writing. The principal will make known staff members who are trained to serve as resource people to provide information and assistance to all parties involved.

STUDENT-STUDENT HARASSMENT

1. A staff member who has received a verbal or written report will encourage the complainant to consult with the designated harassment resource person or building administrator.
2. The resource person/administrator will gather all pertinent facts from the complainant and any witnesses and will provide the complainant options, such as:
 - a. The staff person, harassment resource person, or administrator may speak to the harasser explaining that the behavior is inappropriate and outlining consequences for past actions and consequences if the behavior does not stop.
 - b. The complainant may discuss the situation with the harasser, telling him/her to stop the harassing behaviors. This may be done in the prescience of a third party, if requested.

HARASSMENT POLICY File 1.8 (cont.)

- c. The complainant may write a letter (sample in guidance office) to the harasser describing the behavior and telling him/her to stop. the supportive person should help the complainant with this letter, if requested. This letter may be delivered to the harasser by a staff person at the request of the complainant. A copy should be dated and kept by the principal in a harassment file.
3. If the harassing conduct so warrants, disciplinary procedures up to and including suspension or exclusion, will be instituted in accordance with the student handbook and the policy of the Quincy Public Schools.

STAFF-STUDENT, STUDENT-STAFF HARASSMENT

In a situation involving a charge of harassment between a staff member and a student, the information should be brought to the attention of the principal immediately. The principal will inform the Superintendent of Schools or his/her designee and an investigator will be appointed. The investigation will be initiated immediately and will be completed in a timely manner. Any association/union member has the right to union representation in this process. Furthermore, the investigating officer should not be an association/union member in the same bargaining unit as the accused. A report of the incident and its resolution, along with any accompanying documentation may be placed in the personnel file of the staff person. Any student or staff member of the Quincy Public Schools who is found to be in violation of this harassment policy is subject to appropriate disciplinary action up to and including suspension and termination.

If the alleged sexual harassment constitutes sexual abuse of a child by a "caretaker," i.e., a school staff member, then the principal will report the suspected abuse to the Department of Social Services as required by M.G.L. Ch. 119, Section 51A.

STAFF-STAFF-HARASSMENT

In a situation involving a charge of staff member to staff member harassment, the building principal should be notified immediately. The principal will inform the Superintendent of Schools or his/her designee and an investigator will be appointed. The investigation will be initiated immediately and will be completed in a timely manner. Any association/union member has the right to union representation in this process. Furthermore, the investigating officer should not be an association/un ion member in the same bargaining unit as the accused. A report of the incident and its resolution, along with any accompanying

HARASSMENT POLICY File 1.8 (cont.)

documentation, may be placed in the personnel files of the staff persons. Any staff member of the Quincy Public Schools who is found to be in violation of this harassment policy is subject to appropriate disciplinary action up to and including suspension and termination.

RETALIATION

Retaliation is forbidden against any person who has alleged harassment, testified, or participated in an investigation. Any allegation of reprisal will be subject to the same kind of investigation and disciplinary action as described above.

CLOSING

Harassment can affect the self-esteem of students and staff, social relationships, performance, and the ability to succeed. Allowed to occur unchecked, harassment will certainly contribute to a negative school climate. It is the intent of this policy to create schools where students and staff alike are valued and respected as individuals and where they can teach, work, or learn in a safe environment.

STUDENT GRIEVANCE PROCEDURE:

Any student and/or parent of a student who has reason to believe that illegal harassment or discrimination has occurred should avail themselves of the Grievance Procedure outlined below:

- Step 1 - The student and/or parent should contact the principal of the school, either orally or in writing, stating the basis for the allegation of illegal harassment or discrimination. The Principal will promptly review all the facts of the case, including interviewing witnesses, and make a determination. If the principal determined that illegal harassment or discrimination has occurred, he/she will immediately take all steps necessary to eliminate the offending conduct, and where it is appropriate; will impose disciplinary action against the offending party or parties.
- STEP 2- If the student or parent is dissatisfied with the results of Step 1, he/she may directly contact the appropriate director listed above, who will promptly investigate all aspects of the case and make recommendations for possible further action.

**HARASSMENT POLICY File 1.8
(cont.)**

STEP 3- If the student or parent is dissatisfied with the results of Step 2, he/she may appeal directly to the Superintendent of the Quincy Public Schools, who, after a prompt and thorough investigation conducted personally or by a designee, will make a final determination as to whether the alleged harassment or discrimination has in fact occurred, and as to what further actions will be taken.

EMPLOYEE HARASSMENT CONTACT

Employees who wish to discuss issues of possible discrimination or limited access should contact their principal or supervisor.

Employees may also directly contact the:
Director of Human Resources
Quincy Public Schools
70 Coddington St., Quincy, MA 02169
617-984-8766

Adopted: December 1995