

SCHOOL DISTRICT LEGAL STATUS

The legal basis for public education in Milton is vested in the will of the people of Milton, as expressed in the Constitution of Massachusetts and state statutes pertaining to education.

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 Milton structurally is a department of the town, operated under laws pertaining to education and under regulations of the Massachusetts Board of Education. The school system consists of a high school (grades 9-12), a middle school (grades 6-8), and four elementary schools (grades PreK-5). The area served by the Milton Public Schools is coterminous with the Town of Milton.

Established by law.

CROSS REFERENCE: B-2, School Committee Legal Status

LEGAL REFERENCE: 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.

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1st Reading: November 1, 2004

2nd Reading:

Adoption:

Proposed reconsideration:

THE PEOPLE AND THEIR SCHOOL DISTRICT

The Milton School Committee is responsible for implementing statutory requirements pertaining to public education. It is also responsible for determining and responding to Milton residents' expectations for the education of Milton's youth.

At the same time, when citizens elect delegates to represent them in the conduct of public education, those representatives retain the authority and responsibility to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out their responsibilities.

The Milton School Committee therefore affirms and declares its intent to:

- Maintain two-way communications with the citizens of Milton. The public will be kept informed of the progress and problems of the school system, and citizens will be urged to bring their hopes for and expectations of their public schools to the attention of this body, which they have chosen to represent them in the management of public education.
- 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 delivering the best possible education to the children enrolled in our schools.
- Act as a truly representative body for members of the community in matters involving public education. The Milton School Committee recognizes that ultimate responsibility for public education rests with the state, but individual school committees have been assigned specific authority through state law. The Milton School Committee retains and exercises this authority, because it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

CROSS REFERENCE: A-2 The people and their school district

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NONDISCRIMINATION

Public schools have the responsibility, wherever possible, to overcome barriers that prevent children from achieving their potential. The Milton Public Schools are committed to this goal, including a specific commitment to combat discrimination. This commitment is affirmed in the following statements of Milton School Committee intent:

- To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation, and applicable judicial interpretations.
- To encourage positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics, and who come from, various socioeconomic, racial, religious, and ethnic groups.
- To work toward a more integrated society, and to enlist the support of individuals, groups, and agencies, both private and governmental, in such an effort.
- To use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
- To carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
- To initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The Milton School Committee's policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business. No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, gender, religion, national origin, sexual orientation, disability and/or marital status.

Individuals or groups who feel that they have been discriminated against on the basis of race, color, gender, religion, national origin, sexual orientation, disability and/or marital status are encouraged to register a complaint both with the Superintendent and the system's designated Title IX compliance officer, the Assistant Superintendent for Curriculum and Personnel.

LEGAL REFERENCES: Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972
 Executive Order 11246, as amended by E.O. 11375
 Equal Pay Act, as amended by the Education Amendments of 1972
 Title IX, Education Amendments of 1972
 Rehabilitation Act of 1973
 Individuals with Disabilities Education Act
 M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)
 M.G.L. 76:5; Amended 1993
 M.G.L.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 603 CMR 2600
Board of Education Chapter 766 Regulations, adopted 10/74, as
amended through 3/28/78

CROSS REFERENCE: A-12 Nondiscrimination

Original adoption: October 1997

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NONDISCRIMINATION ON THE BASIS OF GENDER

The Milton School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the Milton Public Schools do not and will not discriminate on the basis of gender in its educational programs and activities. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

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

The Milton School Committee has designated the Assistant Superintendent of Curriculum and Personnel to act as the school system's Title IX compliance officer. All students and employees will be notified annually of the name and office address and telephone number of the compliance officer.

CROSS REFERENCES: AC Nondiscrimination
A-13 Nondiscrimination on the basis of sex

LEGAL REFERENCES: Title IX of the Education Amendments of 1972
45 CFR, Part 86, (Federal Register, 6/4/75)
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
Board of Education Chapter 622 Regulations Pertaining to
Access to Equal Educational Opportunity, adopted 6/24/75,
amended 10/24/78
Board of Education 603 CMR 2600

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SEXUAL HARASSMENT

It is the goal of the Milton School Committee and the Milton Public Schools to promote a school environment and workplace that is free of sexual harassment. Sexual harassment is unlawful, and will not be tolerated by the Milton Public Schools. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.

Because the Milton Public Schools take allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

While this policy – which applies to all employees of and students in the Milton Public Schools – sets forth the Milton School Committee's goals of promoting an environment that is free of sexual harassment, the policy is not designed nor intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfied the definition of harassment.

Definition of sexual harassment

In Massachusetts, the legal definition of sexual harassment is:

Sexual harassment means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of, or as a basis for, employment or instruction or participation in schools activities or programs; or,
- b) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

Similarly, any case in which submission to or rejection of such conduct by an individual is used by the offender as the basis for making personal or academic decisions constitutes sexual harassment.

The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating to male or female workers or students – whether those outcomes are intended or not – may also constitute sexual harassment.

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

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

As stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful, and will not be tolerated by the Milton Public Schools.

Effects of sexual harassment

In school, sexual harassment can affect a student's academic progress, self-esteem, extracurricular involvement, and social relationships. If sexual harassment is permitted to occur unchecked in schools, this may create a school climate detrimental to learning for all students. In such schools, students may not feel safe; they may not feel free to fully participate in classes and school activities, and they may not feel valued as members of their school community. Such a climate can lead to more serious offenses. Therefore:

1. It is the policy of the Milton Public Schools to provide a learning and working atmosphere for students, employees, and visitors which is free from sexual harassment.
2. It is a violation of this policy for any administrator, teacher, or other employee, or any student, to engage in or condone sexual harassment.
3. It is the responsibility of every employee to recognize acts of sexual harassment, and to take every action necessary to ensure that the applicable policies and procedures of this school district are implemented.
4. Any employee or student who believes that he or she has been subjected to sexual harassment has the right to file a complaint and to receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and to protect the privacy of all parties.
5. The building principal/designee (see below) shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to sexual harassment or inappropriate behavior of a sexual nature.

Complaint / investigation procedure

In school systems, sexual harassment may cross many lines, and may involve staff member and staff member, staff member and student, student and staff member, or student and student.

Any person who believes that a student, teacher, administrator, or other school personnel has engaged in conduct prohibited by this policy, whether such conduct has been directed at him/her or some other person, should report the alleged prohibited conduct as soon as possible to the appropriate school district official (as designated by this policy) either

verbally or in writing. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different individual than the one designated in this policy.

In the Milton Public Schools, the Assistant Superintendent for Curriculum and Personnel is designated as the Title IX officer, with responsibility to oversee the implementation of this policy.

In each school, the school Principal or Assistant Principal is the person responsible for receiving and investigating oral or written reports of alleged sexual harassment. If the report involves the building Principal, the report should be made to, or filed directly with, the Superintendent. If the report involves the Title IX officer, the report should be made to, or filed directly with, the Superintendent. If the report involves the Superintendent, the report should be made to, or filed directly with, the chairperson of the Milton School Committee.

Upon receipt of a report or complaint of alleged sexual harassment, the designated school administrator shall initiate a timely investigation of the circumstances. The investigation may consist of personal interviews with the complainant(s), the individual(s) against whom the complaint is filed, and other who have knowledge of the alleged incident(s) or circumstance(s) giving rise to the complaint. The investigation may also consist of other methods deemed pertinent by the school administrator.

When the investigation is completed to the extent appropriate, the school administrator shall inform the person filing the report or complaint, as well as the person alleged to have the offending conduct, the results of the investigation in writing.

Upon completion of an investigation, if it is determined that inappropriate conduct has occurred, the Milton Public Schools will take appropriate corrective action under the circumstances. Such action may include, but is not limited to counseling, direction to stop the behavior in question, suspension, expulsion, transfer, termination of employment, or other such forms of disciplinary action as are appropriate.

Upon completion of an investigation, if a complaint or report is not substantiated, the school district shall so inform the person filing the complaint or report, as well as the person alleged to have committed the offending conduct, of the results of the investigation.

To the extent permitted, all reasonable efforts shall be made to maintain confidentiality during an investigation.

Persons wishing to file a complaint may do so by contacting:

Central Office/School Committee

Superintendent - 696-4809

Chairman, Milton School Committee - 696-4809

Assistant Superintendent and Title IX officer - 696-4812

Milton High School:

Principal-696-4470

Vice-Principal- 696-4477

Vice-Principal- 696-4472

Pierce Middle School:

Principal- 696-4569
Assistant Principal- 696-4568
Assistant Principal- 696-4568

Collicot School:

Principal - 696-4283
Assistant Principal - 696-4283
Assistant Principal- 494-4283

Cunningham School:

Principal- 696-4286
Assistant Principal- 696-4286
Assistant Principal- 696-4286

Glover School:

Principal - 696-4289
Assistant Principal- 696-4289

Tucker School:

Principal- 696-4291
Assistant Principal- 696-4291

Retaliation

Retaliation in any form against any person who reports an alleged violation of this policy, or against any person who assists or participates in any way in an investigation is forbidden. An individual who retaliates in the above manner will be subject to discipline, which may include suspension, expulsion, transfer, termination of employment and other such forms of disciplinary action as are appropriate.

Confidentiality

All reasonable efforts shall be made to:

1. Maintain confidentiality with the goal of protecting the victim(s)
2. Identify the inappropriate behavior
3. Stop the behavior
4. End the hostile environment

State and Federal Remedies

If an individual believes that he or she has been subjected to or made aware of an incidence of sexual harassment, he or she- in addition to the above remedies - may also file a formal complaint with either or both of the government agencies set forth below. Note that these agencies may have a short time period for filing a claim:

1. The United States Equal Employment Opportunity Commission (EEOC), 1 Congress Street, 10th floor, Boston, MA 02114. (617)565-3200
2. Office for Civil Rights (U.S. Department of Education), 222 John W. McCormack Post Office and Courthouse, Boston, MA 02109. (617) 223-9662

3. The Massachusetts Commission Against Discrimination (MCAD), 1 Ashburton Place, Room 601, Boston, MA 02108. (617)727-3990.

LEGAL REFERENCES: Title VII, Section 703, Civil Rights Act of 1964 as amended 45
Federal Regulation 74676 issued by EEO Commission
Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX)
Board of Education 603 CMR 26:00

CROSS REFERENCE: A-15 Sexual harassment

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Adoption:

Proposed reconsideration:

NONDISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the district's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the district, or be subject to discrimination. Nor shall the district exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

The Milton Public Schools receive federal financial assistance, and therefore must comply with the above requirements. Additionally, the Milton School Committee believes that:

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

Definition

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

Reasonable Modification

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

Communications

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

Auxiliary Aids and Services

"Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification

The district is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the district shall be made by the school committee after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

Notice

The Milton Public Schools shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American With Disabilities Act (ADA) and its applicability to the services, programs, or activities of the district. The information shall be made available in such a manner as the school committee and superintendent find necessary to apprise such persons of the projections against discrimination assured them by the ADA.

Compliance Coordinator

The Milton Public Schools shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The Milton Public Schools shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated at least once annually and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA.

CROSS REFERENCE: AC Nondiscrimination
IGB Special Instructional Programs and Accommodations
IGBA Programs for Handicapped Students
A-14 Nondiscrimination on the basis of handicap

LEGAL REFERENCES: Rehabilitation Act of 1973, Section 504
Education For All Handicapped Children Act of 1975
M.G.L. 71B:l et seq. (Chapter 766 of the Acts of 1972)
Title II, Americans with Disabilities Act of 1992
Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

GRIEVANCE PROCEDURE RESOLUTION OF DISCRIMINATION COMPLAINTS

It is the policy of the Milton Public Schools to provide learning and working environment free from discrimination of any kind. Any alleged discriminatory practices within the scope of Section 504, Americans with Disabilities Act, Title VI or any other civil rights statute should be addressed through the following grievance procedure.

Definitions:

Grievance: A complaint alleging a violation of any policy, procedure, or practice which would be prohibited by Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1992 and other federal and state civil rights laws, rules and regulations.

Grievant(s): A student, parent, guardian or employee of the Milton Public Schools who submits a grievance.

Grievance Officer: The employee designated to coordinate the District's efforts to comply with equity regulations and facilitate processing of complaints. The Milton Public Schools has designated the Assistant Superintendent as the Grievance Officer. If the allegation involves the Assistant Superintendent, the Superintendent shall act as the Grievance Officer.

Day: A working day; the calculation of days in grievance processing shall exclude Saturdays, Sundays, and school holidays.

Basic Procedural Rights:

The Grievance Officer shall receive complaints and actively investigate the merit of complaints, and assist the parties in resolution of complaints. The Grievance Officer may be utilized as a resource by any party at any level of this procedure.

This procedure does not deny the right of the grievant to file formal complaints with other state and federal agencies or to seek private counsel for complaints alleging discrimination.

In most instances, parents or legal guardians should be part of the hearing and resolution process.

Intimidation, harassment or retaliation against any person filing a grievance or any person participating in the investigation or resolution of a grievance is a violation of law and constitutes the basis for filing a separate grievance.

If a grievance is taken to the Superintendent for a hearing, the parties shall have the right to representation at their own expense and to present witnesses and evidence.

It is the policy of the Milton Public Schools to process all grievances in a fair, expeditious and confidential manner to the extent possible.

Process:

Level I: Principal or immediate Supervisor (Informal and optional, may be bypassed by the grievant)

An informal meeting can solve many problems with the parties and the principal. An

individual with a complaint is encouraged to first discuss it with the teacher, counselor, or building administrator involved with the objective of resolving the matter promptly and informally. Employees with a complaint are encouraged to first discuss it with their principal or immediate supervisor with the same objective.

Level 2: Grievance Officer

If the complaint or issue is not resolved at Level I, the grievant may file a written grievance stating: 1) the nature of the grievance; 2) the remedy requested; and 3) be signed and dated by the grievant. The level 2 written grievance must be filed with the Officer within fifteen (15) days of the event or incident, or from the date the grievant could reasonably become aware of such occurrence.

The Officer has authority to investigate all written grievances. If possible, the Officer will resolve the grievance. If the parties cannot agree on resolution, the Officer will prepare a written report of the investigation, which shall include the following:

1. A clear statement of the allegations of the grievance and remedy sought by the grievant.
2. A statement of the facts as found by the Officer.
3. A list of all witnesses interviewed and documents reviewed during the investigation.
4. A narrative describing attempts to resolve the grievance.
5. The Officer's conclusion as to whether the allegations in the grievance are meritorious. If the Officer believes the grievance as valid, the Officer will recommend appropriate action to the Superintendent.

The Officer will complete the investigation and file the report with the Superintendent within fifteen (15) school days after the receipt of the written grievance. The Officer will send a copy of the report to the grievant.

Level 3: Superintendent

If either party is not satisfied with the recommendations from Level 2, either party may make a written appeal within ten (10) days of receipt of the Officer's report for a hearing before the Superintendent. A decision shall be made and reported in writing to all parties within thirty (30) days of that meeting. The Superintendent shall affirm, reverse, or modify the report of the Grievance Officer.

Other Options for Grievant

At any time during the process, a grievant may file a complaint with either of the following:

Massachusetts Department of Education
Program Quality Assurance
350 Main St.
Malden, MA 02148-5023

U.S. Department of Education
Office of Civil Rights
J.W. McCormack Post Office and Courthouse
Room 222
Boston, MA 02109-4577

CROSS REFERENCE: Milton High School Teacher Handbook, 2003-2004

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2nd Reading:

Adoption:

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EDUCATIONAL PHILOSOPHY AND CORE VALUES

The Milton Public Schools are committed to helping all students grow into adults who can express themselves confidently, participate fully, learn continually, and contribute meaningfully to society. We will encourage the development of a sense of personal and social responsibility, as well as the knowledge base and skills needed to make informed and intelligent decisions.

The mastery of basic skills is essential to our children as they prepare themselves to become responsible adults. Therefore, we must seek to create an environment in which all children can best develop and acquire the information, academic skills, critical judgment, and creativity needed for a better understanding of themselves, of each other, and of the world around them.

To achieve these goals, the Milton School Committee has adopted five core values for the Milton Public Schools. These values serve as our guiding principles as we enter the new millennium, and also as the touchstones for our long-range strategic planning. The values are:

1. High academic achievement for all students

We expect high academic achievement from every student, from Pre-kindergarten through grade 12, in every subject area and in every discipline – High expectations, and the belief that every student can learn, are self-fulfilling. Our purpose is to have every child in our care reach his or her potential. Our schools therefore academically challenge all children to the best of their ability, both in the classroom and through homework and independent study. By participating in a content-rich curriculum, our students will gain the ability to express ideas clearly, and to solve problems requiring skills in one or more disciplines.

Specifically, we will emphasize throughout the school careers of our students the critical skills of language – oral and written – in part through extensive and far-ranging reading. Equally, we will emphasize mathematics, science, technology, history, and fine and applied arts.

Additionally, we support the strongest possible programs in health, physical education, and extracurricular activities, recognizing that these activities promote the physical well-being of our children, and help them reach their potential.

2. Excellence in teaching

The heart of the Milton Public Schools is the classroom, and the interaction that goes on there between teachers and students. The system has the responsibility to provide the support needed to establish the strongest possible teaching and learning environment -- one that actively engages students in the learning process. This means we must recruit and hire the best people, and supervise and evaluate them in constructive ways. We must continually strive to create, implement, and improve programs that are compatible with appropriate curricula and provide opportunities for innovative teaching and learning.

Equally, we are committed to developing our administrative and professional staff, whose leadership is important to excellent education.

3. Collaborative relationships and communication

The Milton Public Schools strive for true collegiality among our educational community. We emphasize good communication: student to student, student to teacher, teacher to teacher, teacher to parent, school to school, and school system to parents and the community. This is the basis for effective education, and it is also the basis for strong community support. We are committed to working with all of Milton's residents to strengthen their belief in public education, and to reinforce their commitment to our schools as a key ingredient in the quality of life in our town.

4. Respect for human differences

The Milton Public Schools continually seek to create an atmosphere in which every child and adult is valued. We acknowledge the differences among us – in terms of physical abilities, learning skills, socioeconomic status, gender, race, cultural, religious or linguistic background, and so on. We seek to build upon these differences as potential strengths: for the individual, and the community.

Specifically, we will protect the rights and dignity of all individuals and groups at all times.

5. Innovation and risk-taking for education

A basic challenge for large institutions with strong traditions is to remain open to new methods and practices for achieving excellence. This is especially true for academic institutions. Almost nothing in education – neither curriculum content nor teaching methods – can be considered permanent and unchanging. Therefore, the Milton Public Schools seek to recognize and reward faculty members who innovate successfully, and thereby enliven and strengthen the curriculum. Similarly, we continually seek to investigate and understand new technologies that may enhance the educational process, and commit ourselves to adopting those that hold that potential. Finally, we commit ourselves to searching for new concepts wherever they may be found, to mounting sound educational experiments that may benefit our children, and to taking prudent risks that hold a strong potential to move our system forward.

CROSS REFERENCE: ADA School District Goals and Objectives
Student Handbooks – all schools
A-3 Educational philosophy and core values

LEGAL REFERENCE: M.G.L. 71B

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Adoption:

Proposed reconsideration:

SCHOOL DISTRICT GOALS AND OBJECTIVES

As noted in our Educational Philosophy statement, the Milton Public Schools are committed to helping all students grow into adults who can express themselves confidently, participate fully, learn continually, and contribute meaningfully to society; to encouraging the development of a sense of personal and social responsibility; and to acquiring the knowledge base and skills needed to make informed and intelligent decisions.

The Milton School Committee has identified five objectives that grow out of this overarching goal. These objectives are to be considered in planning and implementing all initiatives within the Milton Public Schools:

- To ensure that each student develops a wide range of academic skills and interests, and a proficiency in critical academic skills
- To ensure that each student develops the capacity to recognize and cope with the problems of an unknown future
- To ensure that each student develops the interpersonal skills needed for satisfying human relationships over his or her lifetime
- To ensure maximum efficiency in the allocation of material resources
- To ensure maximum efficiency in the allocation of human resources

CROSS REFERENCE: A-5 School district objectives

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DRUG-FREE SCHOOLS

The Milton Public School district is committed to providing a drug and alcohol free learning environment and workplace. Drug abuse and alcohol abuse at school or in connection with school-sponsored activities on or off school grounds threaten the health and safety of our students and our employees and adversely affect the educational mission of the school district. The use of illicit drugs and the unlawful possession and use of alcohol are wrong and harmful.

For these reasons, the unlawful manufacture, distribution, dispensation, possession or use of illicit drugs, alcohol or other controlled substances in the workplace, on school premises or as part of any school-sponsored activities is strictly prohibited. These standards of conduct are equally applicable to students and employees.

Details regarding consequences for violations of this policy can be found in student handbooks.

CROSS REF: JICHA, JICHB
Student Handbooks

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

1st Reading: November 1, 2004

2nd Reading:

Adoption:

Proposed reconsideration:

TOBACCO-FREE SCHOOL POLICY

1. Statement of Purpose:

The School Committee is committed to providing a tobacco-free environment for the health and well being of the entire school community – students, staff, and visitors to its facilities. Education about the consequences of tobacco use is an integral part of the Milton Public Schools Health Curriculum. The use of tobacco products has a direct link to numerous health problems. Tobacco prevention and education play critical roles in establishing life-long, positive health habits. The purpose of this policy is to comply with the requirements of the Massachusetts General Laws, Chapter 71, Sections 2A and 37H. It is the intention of the School Committee to prohibit the use or distribution of tobacco products at all times whether or not school is in session within school buildings, on school grounds, on school buses or in other school vehicles, and at all school-sponsored activities in order to improve the health of students, all school personnel and visitors.

2. Definitions:

School: All school buildings that are a part of the Milton Public Schools.

School Grounds: Property owned or controlled by the Milton Public Schools, including but not limited to school buildings, structures, open space, sports or recreational facilities whether enclosed or not, vehicles owned or leased by the Milton Public Schools for the purpose of transporting students, school driveways, and school parking lots.

School Personnel: A person who performs services for the Milton Public Schools, including but not limited to administrators, teachers, teacher’s aides, school counselors, coaches, assistant coaches, school nurses and therapists, cafeteria workers, administrative staff, janitorial staff, volunteers, interns, security guards.

School-sponsored Activity: An activity at least partially funded or controlled by the Milton Public Schools or the parent-teacher organization to which students are invited and which occurs on or off school grounds, such as, but not limited to, graduation, sporting events, work internships, job shadowing, dances, field trips or class picnic, etc.

Student: A person enrolled in the Milton Public Schools.

Tobacco cessation: An intervention program applied to treat tobacco addiction.

Tobacco Use: The inhaling, exhaling or consuming of any lit or unlit tobacco product or carrying of any lit tobacco product; also, the possession by a student on school grounds of a tobacco product.

Visitor: Any person on school grounds who is not a student or staff member. Examples include repair or delivery personnel, security personnel, presenters, consultants, students or staff from other schools, parents, outside facility users.

3. Tobacco Product Use Prohibited: No student, school personnel or visitor shall use a tobacco product at any time while on school grounds, on school buses or other school vehicles, or at a school-sponsored activity as defined herein.

1st Reading: November 1, 2004

2nd Reading:

Adoption:

Proposed reconsideration:

4. Violations:

The following is the policy to be followed regarding violations of this policy. In appropriate circumstances, additional sanctions or remedies may be used. Nothing contained herein shall operate to limit the authority of any person or the sanctions that may otherwise be imposed by law for violating this policy or the law. Please refer to student handbooks.

Visitors

- Announcers at all events will remind the public that the Milton Public Schools is a tobacco-free environment and that schools are required by law to keep school premises tobacco free. Visitors, who are observed smoking or using tobacco products on school property, shall be referred to a school administrator, a site administrator or a police officer.

5. Severability:

If any provision of this policy is declared invalid or unenforceable, the other provisions shall not be affected thereby, but shall continue in full force and effect.

6. Conflict with Other Policies, Laws or Regulations:

Notwithstanding the provisions of this policy, nothing in this policy shall be deemed to amend or repeal applicable fire, health or other laws or regulations so as to permit smoking in areas where it is prohibited by such fire, health or other laws or regulations.

LEGAL REF: M.G.L. 71:2A
M.G.L. 71:37H

CROSS REF: JICG and KF
Student Handbooks
Faculty Guide
ADC Tobacco-Free Schools

1st Reading: November 1, 2004

2nd Reading:

Adoption:

Proposed reconsideration:

ENVIRONMENTAL HEALTH AND SAFETY OF SCHOOL FACILITIES POLICY

The Milton School Committee, in accordance with Massachusetts General Laws c. 71 Section 68 has the responsibility to supervise the schoolhouses in the town and to keep them in good order. The Milton School Committee and the Environmental Health and Safety Subcommittee of the School Committee, work to protect the health and safety of school occupants and to promote a healthy learning environment.

The Environmental Health and Safety Subcommittee of the School Committee works to:

1. Maintain a healthy indoor environment by taking a proactive approach to preventing indoor air quality (IAQ) problems before they occur;
2. Identify and address IAQ problems where feasible;
3. Reduce the use of toxic products and materials in our schools and on the grounds under the responsibility of the school system;
4. Serve as a resource to the school community during school construction and renovation.

In accordance with its interest in accomplishing the above goals and cognizant of the existence of federal, state and local environmental and health and safety laws and regulations, the Milton School Committee seeks to incorporate toxic-use reduction and pollution prevention measures where at all possible and within the financial constraints of the district by:

1. Evaluating alternative practices that would eliminate or reduce use of toxic products and materials;
2. Maintaining a system for purchasing and disposing of all school products;
3. Using bid guidelines and contracts, where appropriate, to request the use of non-toxic or less-toxic products and materials by contractors and consultants in fulfilling contractual obligations with the school department;
4. Providing opportunities for staff awareness on the appropriate practices and procedures endorsed by this policy that promote the health and safety of school building occupants

In regard to any new or renovated school building projects, the School Committee endorses and promotes a design of facilities that supports healthy learning and incorporating elements of "green" sustainable building design as well as toxic-use reduction principles where feasible. In addition, the School Committee places the highest priority on maintaining the health and safety of school occupants during the construction and/or renovation phase of any building project.

Furthermore, the School Committee recognizes the importance of maintaining an Environmental Health and Safety Subcommittee for a continuing evaluation of the effectiveness of the environmental health and safety policies regarding the schools. The School Committee sanctions addressing environmental and conservation issues in the school curriculum and encourages students, parents and the school community at large to be cognizant of same.

CROSS REFERENCE: A-17 Environmental Health and Safety of School Facilities Policy

Original adoption: June 19, 2001

1st Reading: November 1, 2004

2nd Reading:

Adoption:

Proposed reconsideration:

CRIMINAL OFFENDER RECORD INFORMATION (CORI)

Massachusetts General Laws Chapter 71, Section 38R provides that:

The School Committee and Superintendent of any city, town or regional school district and the Principal, by whatever title the position be known, of a public or accredited private school of any city, town or regional school district shall have access to and shall obtain all available criminal offender record information from the criminal history systems board of any current or prospective employee or volunteer of the school department, who may have direct and unmonitored contact with children, including any individual who regularly provides school related transportation to children.

Pursuant to a Department of Education C.O.R.I. Law Advisory dated February 17, 2003, “‘Direct and unmonitored contact with children’ means contact with a child when no other C.O.R.I. cleared employee of the school or district is present. A person having only the potential for incidental unsupervised contact with children in commonly used areas of the school grounds, such as hallways, shall not be considered to have the potential for direct and unmonitored contact with children. These excluded areas do not include bathrooms and other isolated areas (not commonly utilized and separated by sight or sound from other staff) that are accessible to students.”

Such School Committee, Superintendent or Principal shall periodically, but not less than every 3 years, obtain all available criminal offender record information from the criminal history systems board on all such employees and volunteers during their term of employment or volunteer service. Said School Committee, Superintendent or Principal shall also have access to all criminal offender record information of any subcontractor or laborer commissioned by the School Committee of any city, town or regional school district to perform *work* on school grounds, and who may have direct and unmonitored contact with children.

Access to such information shall be obtained in accordance with sections 167 to 168, inclusive, of chapter 6. A School Committee, Superintendent or Principal obtaining information under this section shall prohibit the dissemination of such information for any purpose other than to further the protection of school children.

In order to comply with the provisions of Massachusetts General Laws Chapter 71, Section 38R, the Milton School Committee adopts the following policy:

I. Application:

The School District shall submit a certification application to:

Criminal History Systems Board
 200 Arlington Street
 Chelsea, Massachusetts 02150

The following shall be designated as the persons who will be reviewing and handling CORI:

- Superintendent
- Assistant Superintendent
- Central Office Administrative Assistant

The application shall identify each of the above by name, and each shall complete and sign an Individual Agreement of Non-Disclosure (AOND). In the event that an individual designated by the Committee changes, a new application shall be submitted to the Criminal History Systems Board (CHSB).

Upon the district's receipt of the Request Form from the CHSB, the form will be printed on school district letterhead and distributed for signature to each individual about whom CORI is sought, including current employees and volunteers, qualified prospective employees and volunteers, and individuals regularly providing school related transportation to children.

The completed Request Forms shall be reviewed by those designated above for completeness, legibility and accuracy in order to avoid inadvertent errors.

II. Criminal offender record information will be required of the following:

- All employees, new and current, who may have direct and unmonitored contact with children, including any individual who regularly provides school related transportation to children. The Superintendent shall review the job responsibilities and duties to determine if an employee may have unmonitored contact with children.
- New employees who may have direct and unmonitored contact with children will be informed that their appointments are subject to a satisfactory CORI. The Superintendent shall determine what constitutes "satisfactory."
- All volunteers who may have direct and unmonitored contact with children, including any individual who regularly provides school related transportation to children. The Superintendent shall review the job responsibilities and duties to determine if an employee may have unmonitored contact with children.
- Updated criminal offender record information will be required at least every three (3) years for both employees and volunteers.

III. Any current employee and volunteer for whom a CORI has not been received in the last three (3) years will be notified by the Superintendent, Assistant Superintendent or Assistant shall be notified in writing that he/she is to complete the Request Form issued by the CHSB.

Failure to complete the Request Form will be addressed as a personnel matter in accordance with applicable statute, collective bargaining agreement and or policy.

IV. Only those identified to the CHSB as the individuals of the district who will be reviewing and handling CORI will receive the Request Forms, review them for accuracy, and submit the information to the CHSB.

The Request Forms and the CORI reports will be placed in a secure file cabinet, separate from the personnel files, in the Superintendent's Office.

Employees will be advised that they may request a copy of their CORI by submitting a personal record request to the CHSB.

No other employee or official may review a CORI.

V. The Superintendent shall determine which CORI is satisfactory and which will disqualify an individual's eligibility for employment. The Superintendent shall consider whether the offense places children who may be in unmonitored contact with the individual at risk as well *as* the following when reviewing a CORI:

- The type of offense (is it a felony or misdemeanor);
- The nature of the offense; whether the charge resulted in a conviction; the type of sentence;
- Whether the individual successfully completed probation;
- The date of the offense; and
- Whether the individual has been arrested subsequently.

LEGAL REFERENCE: M.G.L. 71:38

CROSS REFERENCE: C-11 Criminal Offender Record Information (CORI)

Original adoption: October 1997

1st Reading: November 1, 2004

2nd Reading:

Adoption:

Proposed reconsideration: