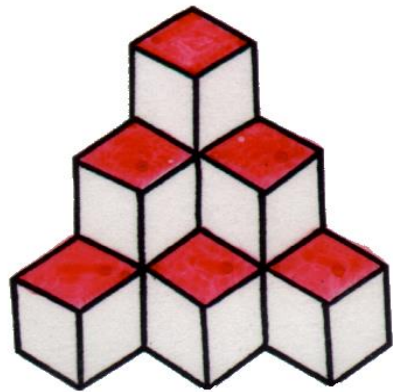


FLLAC Educational Collaborative

Personnel and Policy Manual



FLLAC

Revised August 2018

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I. Introduction

A. Mission Statement of the FLLAC Educational Collaborative:

“The FLLAC Educational Collaborative provides quality, cost effective services to meet the current and evolving needs of our member communities.”

B. Welcome:

The FLLAC Educational Collaborative is a dynamic organization dedicated to providing our member districts, our students and their families with the very best educational, consultative and related services available. Everything we do is aimed at supporting the efforts of our staff to meet the special education and related service needs of our students and the students in our member districts. Working closely with the superintendents and special education administrators of our member districts, FLLAC develops and provides programs for a variety of student populations. Additionally the Collaborative provides specialized consultation services and high quality professional development programs. We are proud of our programs and services and pleased to welcome dedicated and caring staff to our organization.

C. Intent:

This policy manual is intended to give employees information about the benefits available to and the responsibilities of FLLAC staff. Our employees are the heart of our operation, and we hope that the information in this manual will assist employees to meet the goals of the Collaborative and realize the rewards of working in the challenging field of special education. FLLAC reserves the right to change these policies as needed to fulfill the mission of the Collaborative. Employees will be notified of changes and updates to this manual. Copies of this manual will be provided to each employee and will be available in each FLLAC program area, at the main office, in the business office and through each program supervisor. FLLAC staff are required to sign a form acknowledging the fact that they have received a copy of the Personnel Policy Manual at the time of hire and periodically thereafter when new copies of the manual are distributed to staff.

In addition to this personnel manual, each FLLAC program maintains a Program Procedure Manual that contains information on policies and procedures specific to that program. Programs also maintain student handbooks that are provided to students and parents/guardians. These procedure manuals and handbooks contain important information and employees should familiarize themselves with these documents.

Staff working in FLLAC programs located in public school settings should also be aware of the policies and procedures of the school district and building in which they are working. Building and district policies and procedures are available from the building administrator.

Please note that this personnel manual does not constitute a contract between FLLAC Educational Collaborative and the employee.

D. History:

The FLLAC Educational Collaborative was chartered in 1975 by the school committees of Fitchburg, Leominster and Clinton in order to provide special education and other services to students with disabilities living in these communities.

The Collaborative includes the following districts: Ashburnham-Westminster Regional School District, Ayer/Shirley Regional School District, Clinton Public Schools, Fitchburg Public Schools, Gardner Public Schools, Leominster Public Schools, Lunenburg Public

Schools, Quabbin Regional School District, West Boylston Public Schools, The North Middlesex Regional School District and Winchendon Public Schools.

In addition to providing high quality special education programs, FLLAC provides related services, specialized consultation, cooperative purchasing and professional development opportunities to our member districts and to surrounding school districts.

E. Structure:

The Collaborative is governed by designees appointed by the school committee of the member districts, who comprise the Executive Board. The Executive Board is responsible for developing the strategic plan for the Collaborative and for approving the Collaborative budget and policies. The Executive Board meets at least six times a year. The Executive Director runs the day-to-day operations of the Collaborative and is hired by the Executive Board. The Executive Director reports to the Executive Board.

In addition to the Executive Board, a Regional Special Needs Advisory Board comprised of the special education administrators from the member and regional districts, meets to provide guidance and support to the FLLAC administration. The Advisory Board makes recommendations relative to program development, professional development and service delivery.

The Executive Board appoints subcommittees to assist the Collaborative with specific aspects of Collaborative business. The standing subcommittees include personnel, budget, space and governance. Standing subcommittees meet on an as needed basis.

II. Non-Discrimination and Confidentiality

A. Notice of Non-Discrimination:

The FLLAC Educational Collaborative complies with all Federal and state statutes relevant to equal opportunity in all aspects of employment including MGL c76 §5. FLLAC will not discriminate in its programs or policies on the basis of race, color, sex, religion, national origin, disability, sexual orientation, gender identity, pregnancy or political or union affiliation. In addition, FLLAC will inform all employees that it is his/her responsibility to help create an environment that is conducive to non-discrimination and equal opportunity.

B. Confidentiality of Records:

FLLAC recognizes the confidentiality of all staff and student records and will enforce the following procedures to protect such information:

1. FLLAC Student Records Policy:

It is the responsibility of the sending school district to maintain the permanent record for every student from the district. FLLAC programs maintain student records necessary to develop and implement a students' IEP. Requests for information from a student record should be made through the sending school district.

Student records will be available to authorized staff through the Program Secretary or Program Supervisor. Student records maintained in the classroom by the teacher will be made available to authorized staff only through the teacher. Authorized staff include: Staff and therapists who work directly with the student, consultants who have a contractual relationship with FLLAC or with a student's sending district. Custodial

parents/guardians always have access to student records, as do students over the age of 18. Educational Surrogate Parents, (ESP) have access to all educationally related records. Consult with a Program Supervisor to determine “educationally related records”.

A log of access will be kept as part of each student’s record. The log shall indicate all persons who have obtained access to the student records that do not fall within the criteria of authorized personnel listed above. The log shall include: the name, position and signature of the person releasing the information; the name, position and, if third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access.

Student records will be released to outside consultants, evaluators, medical personnel or other interested parties only with written permission from the student’s parent or legal guardian on a release of information form.

Student files will be maintained by FLLAC while the student is in a FLLAC program. After the student leaves FLLAC the sending school district will be contacted and records will be forwarded to the district. If the sending school district indicates that they do not want the files the files will be destroyed.

It is the responsibility of all FLLAC staff to respect the privacy of FLLAC students and their families. Information about students must be kept confidential and should not be shared with others outside of the student’s educational team. E-mail correspondence and social media postings can be considered part of a student record if a student can be readily identified in the e-mail or posting.

2. For staff records:

Staff records are confidential and will be released only to the employee’s supervisory staff and the Executive Director, to individuals authorized in writing by the employee, or by court order. All employees must have on file:

- A completed application or resume
- I-9 employee eligibility information
- A copy of current certification or license (if applicable)
- Response to the Hepatitis B vaccination form
- Signed retirement plan form (State, OBRA or MTRB)
- SS Disclaimer
- Federal and State tax withholding forms
- Current signed contract

Active employee records also contain completed employee evaluations, copies of relevant correspondence, documentation of discipline procedures if applicable, health insurance information and other relevant information.

FLLAC staff are required to complete an emergency contact form to be kept at the Central Office and at the employee’s program. Information on this form is confidential. **Employees are required to report changes in their address, phone number or emergency contact information to the Business Office as soon as possible.**

III. Recruitment and Hiring

A. Hiring Procedures:

Notification of available positions is posted at the FLLAC Central Office, at local colleges and universities, on the FLLAC website and educational recruitment websites. Notices of vacancies are sent to our member districts and posted on educationally related websites.

Applicants are required to complete an application and/or send a resume with a letter of application to FLLAC. Interviews for positions will be arranged by the appropriate supervisor, based upon the qualifications of the applicants.

The first three months of employment at FLLAC are considered a probationary period. If an employee is terminated during the probationary period they do not have recourse to the progressive discipline or appeals process outlined in section VI, parts c and d of the personnel policies.

1. CORI:

All applicants who are offered and accept positions at FLLAC will be subject to a criminal offender record check (CORI) through the MA Criminal History Systems Board. Results of CORI checks are available only to authorized employees within the Collaborative and are kept in strict confidence. Applicants will be asked to sign a release authorizing FLLAC to conduct a CORI background check at the time of employment. Current staff will be asked to sign a CORI release form every three years thereafter or to the extent allowable by law. New staff may not directly supervise students alone pending the results of the initial CORI check and approval from the FLLAC CORI authorized representative. Approval will be granted by the CORI authorized representative and the applicant will be notified of approval by their program supervisor.

In addition all volunteers, student teachers and interns in FLLAC programs are subject to CORI background checks at the time of placement. Where CORI checks are part of the general background check for employment, volunteer work, student teaching placements and internships or periodic CORI updates for current employees, the following practices and procedures will generally be followed. The term applicant in this policy refers to both new hires and current staff.

- a) CORI checks will only be conducted as authorized by CHSB. All applicants will be notified that a CORI check will be conducted and asked to complete a CORI authorization form. If requested the applicant will be provided with a copy of the FLLAC CORI policy.
- b) An informed review of the criminal record requires adequate training. Accordingly all personnel authorized to review CORI information in the decision making process will be familiar with the educational material made available by CHSB.
- c) Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather determination of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.
- d) If a criminal record is received from CHSB the authorized individual will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant to ensure that the record relates to the applicant.

- e) If FLLAC is inclined to make an adverse decision based on a CORI check the applicant will be notified immediately. The applicant will be provided with a copy of the criminal record and FLLAC's CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position and given an opportunity to dispute the accuracy or relevance of the CORI record.
- f) Applicants who wish to challenge the policy shall be provided with a copy of the CHSB Information Concerning the Process in Correcting a Criminal Record. If the CORI record provided does not exactly match the identification information provided by the applicant FLLAC will make a determination based on a comparison of the CORI record and the documents provided by the applicant. FLLAC may contact CHSB and request a detailed search consistent with CHSB policy.
- g) If FLLAC reasonably believes that the record belongs to the applicant and is accurate, based on the information as provided in the above section(s) of this policy, then the determination of suitability for the position will be made. Unless otherwise provide by law, factors in determining suitability may include, but are not limited to the following:
 - Relevance of the crime to the position sought
 - The nature of the work to be performed
 - Time since the conviction
 - Age of the applicant at the time of the offense
 - Seriousness and specific circumstances of the offense
 - The number of the offenses
 - Whether the applicant has pending charges
 - Any relevant evidence of rehabilitation or lack thereof
 - Any other relevant information submitted by the applicant or requested by FLLAC

FLLAC will notify the applicant of the decision and the basis of the decision in a timely manner.

2. FLLAC Fingerprinting Policy:

Under 603, CMR 51.00 FLLAC is required to collect Criminal History Record Information (CHRI) from the FBI and the MA State Police. In order to do so all FLLAC employees and volunteers who have or might have direct, unsupervised contact with students must be fingerprinted. Procedures for obtaining CHRI, including how to provide fingerprints, will be provided to all employees and volunteers at the time of hire.

CHRI is considered confidential information and will only be distributed to the employee pursuant to the standards for providing CORI (as noted above) under 803 CMR 2.13 (a) and to the MA Department of Elementary and Secondary Education if reporting to the Commissioner is required under 603 CMR 51.07.

FLLAC does not reimburse employees for cost associated with conducting fingerprinting.

FLLAC staff are required to complete an on-line orientation test, the state mandated ethics test or other mandated testing and submit proof of having completed the fingerprinting process within a timely manner. Staff who do not complete these requirements within 30 days of employment or 30 days of the start of the school year will be subject to disciplinary action.

B. Contract Period:

Contracts for all employees shall be for one year unless otherwise stated. Contracts shall state the number of days to be worked per year.

All contracts are subject to the availability of federal, state and local funds.

All contracts will state the period covered by the contract, the salary agreed upon (pro-rated if applicable), the job title, the number of pay periods covered, and the pay per pay period.

All employees hired by the Collaborative will be provided a work schedule and applicable calendar. Employees working in public schools shall follow the academic calendar of the host school district, plus any additional days specified in their contract, unless specifically authorized by the Executive Director.

All employees are expected to be on-site for a minimum seven-hour day unless otherwise specified in their contract or approved by the Executive Director. Salaried employees are expected to work until their professional obligations are met. Employees are expected to be available for periodic team/program meetings either before or after the school day. Team meetings are scheduled with the program supervisor and the classroom teacher.

All employees are entitled to at least one 15-minute break during the course of the day. Breaks are scheduled with the program supervisor and break times may vary depending on the needs of the students in the classroom. Staff may take a 30-minute unpaid meal break to be scheduled with the program supervisor and classroom staff. Staff may elect to forgo a meal break and eat while working with and supervising students but must fulfill the minimum 7-hour workday.

Hourly employees are required to submit time sheets bi-weekly. The employee's immediate supervisor must sign time sheets. See the program procedure manual for specific procedures for submitting timesheets.

FLLAC staff are expected to fulfill the stipulations of their contracts. Consistent attendance is an essential function of their job.

C. Wages and Salary:

Wage and salary schedules are approved annually by the Executive Board. Contracts are developed based on approved schedules. Part time staff will have their salaries pro-rated based on the approved salary schedule.

Paychecks are distributed bi-weekly based on and up to 22/26 pay periods per year. Paydays are on Thursdays.

FLLAC Direct Deposit Policy:

Employees are "**required**" to utilize direct deposit and must file the appropriate paperwork with the Business Office. W2's will be mailed to the employee home address. It is important that employees update the central office if their home address changes.

It is important that FLLAC staff notify the Collaborative of any change of address as soon as possible.

IV. Benefits

A. Insurance:

Employees working at least 21 hours per week are eligible for health and dental insurance benefits as described below after 30 days of employment.

1. Employer funds 75% of the lowest cost health insurance plan, the remainder is paid by the employee. Employees may choose individual, two-person or family coverage.
2. Dental Insurance is offered at a group rate and is 100% employee funded.

Eligible Dependents: The spouse and dependent children of eligible employees are eligible for coverage. A dependent child is defined as an unmarried child of the employee until the end of the calendar year in which the child becomes 26. An unmarried child means:

- An employee's biological son or daughter
- A legally adopted child
- A step-child permanently residing with the employee and supported 50 percent or more by the employee
- A child permanently residing in the employee's household supported 50 percent or more by the employee if the child is directly descended from the employee and/or placed in the legal guardianship of the employee
- An unmarried child 26 years or older who is incapable of self-support because of mental or physical incapacity given that:
 - The condition leading to the incapacity began before the child's 26th birthday
 - The incapacity is permanent
 - The child resides permanently with the employee and is supported 50 percent or more by the employee
- An unmarried child who is attending an accredited educational institution full time until the end of the calendar year in which the child turns 26 or the end of the month in which the child ceases to be a full time student, whichever occurs first. A full time student must enroll and attend class for the number of credit hours per academic semester determined by the institution to be full time status and complete the semester.

Note: It is the responsibility of the employee to notify the collaborative business office of any change in the eligibility status of dependents.

Employees are eligible for life and long-term disability insurance benefits as described below after six months of employment.

Life insurance is available through the Collaborative to employees who have completed six months of consecutive employment. The Collaborative provides \$10,000 of coverage at no charge to employees. Additional coverage in increments of \$10,000 may be purchased through the Collaborative to a maximum of \$300,000. Rates for additional coverage are determined on a yearly basis.

A group long-term disability insurance plan is available to staff at cost. The cost for long-term disability is based upon the employee's yearly salary and will be deducted from the employee's paycheck. Long-term disability coverage is optional and employees may refuse long-term disability coverage.

B. Sick Leave:

Full time teachers, therapists, and 52-week clerical and administrative staff will be credited with fifteen (15) paid sick days per year. Unused sick time for teachers and therapists will accumulate to an unlimited amount from year to year at the beginning of any school year.

Teacher Assistants and Therapy Assistants will be credited with nine (9) paid sick days per year, effective after 30 working days. Unused sick time will accumulate to a maximum of ninety (90) days. Prior to working for 30 days, Assistants will be credited with one (1) sick day.

At the discretion of the employee's supervisor a physician's confirmation of illness will be required for absences in excess of five (5) consecutive days or at the discretion of the Program Supervisor.

Employees must notify the employee's program supervisor through the appropriate message phone line of illness as soon as possible on the day of the illness, but no later than 7:00 am. In the case of employees at the Caldwell Alternative or Caldwell Elementary programs, they must do so by calling their respective program office. In the case of satellite program staff, administrative staff and consultants, they must do so by notifying the program secretary. In addition to notifying the office of an absence, ASDDD program staff should make every effort to notify their classroom teacher as early as possible. Consultants working in public school districts should also notify the appropriate contact in the district that they are assigned to work.

If an employee goes home sick or otherwise leaves the building to which they are assigned (except on school business) during the work day, they must notify the program supervisor or Central Office as appropriate and state why and at what time they are leaving.

Every effort will be made to provide substitutes for staff who call out or go home sick. In the event that a substitute teacher is unavailable, a certified teacher will be designated to supervise a classroom by the Program Supervisor. If a teacher is unavailable to cover a classroom for more than five (5) consecutive days, a stipend of \$ 25/day will be paid to a designated Teacher Assistant, who will assume responsibility for the classroom until the teacher returns. The stipend will commence on the sixth day of the teacher absence. The designated Teacher Assistant will be chosen by the Program Supervisor.

C. Personal/Professional Leave:

While recognizing that absences by staff can be disruptive to the educational process, FLLAC acknowledges that there could be times when employees may require time away from work to attend to urgent or important personal business, therefore:

With the approval of the Executive Director, employees may take up to three personal days per year for purposes consistent with the Massachusetts' Small Necessities Act. Personal days are to be used for personal business that cannot be scheduled other than during normal working hours. Personal leave time may not be taken to extend a vacation, holiday or for recreational activities. Except in extraordinary circumstances, personal leave time will not be granted during the first two weeks or the last two weeks of the school year.

Personal leave time is granted at the discretion of the Executive Director, and such time cannot be carried over from year to year. In extraordinary circumstances, the Executive Director may authorize short-term, unpaid leave.

For part-time employees personal leave time will be pro-rated.

For employees starting their contract after September 1, personal leave time will be pro-rated based upon the number of days remaining in the contract.

Personal leave may be taken in full day or hourly increments.

With the approval of the Executive Director employees may request professional leave. Professional leave time is to be used for professional development activities such as seminars, conferences or program visits.

D. FLLAC Parental Leave Policy:

In accordance with the Massachusetts Maternity Leave Act and the Massachusetts Parental Leave Act, The Collaborative will grant eight weeks of unpaid leave for the purpose of giving birth, for the placement of a child under the age of 18, or under the age of 26 if the child is mentally or physically disabled, or for adoption with the employee who is adopting or intending to adopt the child. The following conditions must be met:

- The employee has either completed the probationary period (not to exceed three months) or, in the event that the probationary period does not apply, has been employed consecutively for three months as a Full-Time employee.
- The employee must provide two weeks' written notice of the anticipated date of departure and state in writing the intention to return to his or her position.
- The employee must state the anticipated date of return to work.

During this period of leave, no vacation leave is accrued. Health insurance coverage will continue during this leave time, as described in this Manual for active employees. Other benefits resume as of the date the employee returns to Full-Time employment. This leave will not affect the employee's rights to receive vacation leave or other benefits for which he or she was eligible at the date of his or her departure. An employee returning to work at the completion of the eight-week leave will be restored to his or her previous position or a similar position. To the extent that the employee is eligible for Parental leave and Family and Medical Leave pursuant to the FMLA, such leaves run concurrently.

Employees anticipating Parental Leave, who wish to use unused vacation or personal time during all or part of the leave, may do so, and should submit the request in writing to the Human Resources Department prior to taking the leave.

Any 2 employees of the Collaborative shall only be entitled to 8 weeks of Parental leave in aggregate for the birth, placement, or adoption of the same child.

E. Domestic Violence Leave:

All employees are permitted to take up to 15 days of unpaid leave per year to address any needs resulting from incidents of "abusive behavior" which include domestic violence, sexual assault, stalking and kidnapping. "Domestic violence" includes physical, mental and sexual abuse, including threats, by persons with specific relationships to the employee or the employee's family member.

Employees must use all vacation leave, personal leave and sick leave available to the employee before becoming eligible for leave under this law.

The employee cannot be the perpetrator of the abusive behavior, and the victim must be the employee, or have one of the following relationships to the employee: spouse, parent or step-

parent, child or step-child, sibling, grandparent, grandchild, person with whom the employee cohabitates, or person with whom the employee has a child in common.

An employee may only take this leave in order to address issues directly related to the abusive behavior, including but not limited to seeking professional treatment, securing housing, and engaging with law enforcement officials.

The employee must give advance notice pursuant to the employer's leave policy, except in cases of imminent danger to the employee or covered family member. In cases of imminent danger, the employee has three (3) work days to notify the employer of the need for leave under this policy.

The employer may require documentation as specified by the law before allowing or recognizing time off as leave under this law. For unscheduled absences, the employee has 30 days after the leave terminates to provide any required documentation. The employer will keep all documents and information confidential as required by law.

After taking leave under this law, the employee has the right to the same or an equivalent position, as well as all accrued benefits, as they existed on the last day before taking leave. Additionally, the employer may not interfere with or retaliate against the employee's valid exercise of these rights.

If you have any questions regarding your rights please contact the FLLAC Business Office.

F. Jury Duty:

Staff are granted leave for jury duty. Staff receive jury duty pay from the Commonwealth of Massachusetts, and the difference to meet their contracted salary from FLLAC will be paid upon receiving appropriate notification of jury duty from the Commonwealth. Jury duty should be noted on the employee's time sheet as such.

G. Bereavement:

Full time staff will be allowed up to three consecutive days bereavement leave in each case of the death of an immediate family member. An immediate family member means the employee's spouse, spousal equivalent, child or dependent, father, mother, sister, brother, mother-in-law, father-in-law,

One day of bereavement leave will be allowed in the event of the death of a grandparent, aunt or uncle or the grandparent, aunt or uncle of a spouse, brother-in-law or sister-in-law niece or nephew and first cousins.

The Executive Director reserves the right to request a copy of an obituary or death certificate.

H. Family and Medical Leave:

Employees who have been employed by the Collaborative for 12 months prior to the date the leave is taken and have worked at least 1250 hours during the previous fiscal year (July 1 to June 30) are eligible under the Collaborative's Family and Medical Leave Policy.

Family or medical leave requests must be submitted in writing and approved by the Executive Director.

I. Workers Compensation:

An employee who sustains a job-related injury, regardless of severity, MUST notify his/her immediate supervisor as soon as possible. Note the time, location and names of witnesses, if any. The Supervisor will work with the employee to complete an incident report and file appropriate paperwork with the Collaborative Central Office within 24 hours. Failure to notify the Business Office within 24 hours of a job-related injury may result in delays in receiving Workers Compensation benefits.

If medical care is required for a work-related injury, the employee should notify the provider that they have sustained a work-related injury and arrange for them to contact FLLAC. Copies of any bills received by the employee should be forwarded to the FLLAC Business Office.

FLLAC is dedicated to providing a safe work environment for all employees. Should an accident occur, the Collaborative will work with the employee and his/her medical provider to assist with the employee's safe return to work. If an employee returns to work with restrictions, the Collaborative will make every effort to accommodate these restrictions. It is the employee's responsibility to notify the Collaborative of any restrictions on returning to work and to notify the Collaborative in writing from the employee's medical provider of any changes to those restrictions as soon as those changes take effect.

J. Unemployment/Retirement Options:

FLLAC participates in the Commonwealth's unemployment insurance program. Eligibility requirements are available through the Massachusetts Division of Employment and Training.

1. Savings Plans/Tax Sheltered Annuities

Tax Sheltered Annuities

All employees are eligible to have contributions to an employee selected tax deferred savings plan withheld from their pay. A list of available programs may be obtained from the Business Office. These plans, known as 403b plans, are intended to provide the employee supplemental retirement income, with taxes deferred on earnings until retirement or fund withdrawal. Employees should be aware that early withdrawals from such funds will incur a penalty.

2. State Retirement

All staff working greater than half time, who are not certified for their position by the MA Department of Elementary and Secondary Education or an Allied Health Profession, must contribute to and participate in the State Board of Retirement system. The contribution rate is determined by the employee's date of entry into the system.

3. Massachusetts Teachers Retirement System

All staff working greater than half time that are certified by the MA Department of Elementary and Secondary Education or by an Allied Health Profession must contribute to and participate in the Massachusetts Teachers Retirement System. The contribution rate is determined by the employee's date of entry into the system. It is the employee's responsibility to complete all paperwork required to enroll in MTRS. FLLAC Business Office staff will assist staff to register with MTRS.

4. OBRA

Employees working less than half time, or seasonal employees, must contribute to a tax sheltered annuity program as per the Omnibus Budget Reconciliation Act. The contribution rate is determined by the employee's date of entry into the system.

K. Mileage:

The Collaborative reimburses employees at a rate approved by the Board for business-related travel approved by the Executive Director or Program Supervisor. Employees must present a written mileage reimbursement form in order to be reimbursed for mileage. Mileage sheets should be submitted to the business office in a timely manner in order to avoid delays in processing.

L. Reimbursable Expenses:

The policy of the Collaborative is that it requires that purchases be made via Purchase Orders. In limited and unanticipated circumstances and with prior approval from the Executive Director, individuals may be reimbursed for work-related expenses, less any tax paid. Receipts for approved purchases must be submitted to the Executive Director within one month of the date of the purchase.

M. Vacation Time:

Full-time employees working more than 210 day/year are eligible for vacation time unless otherwise stated in their contracts. Vacation time is arranged with the employee's direct supervisor and approved by the Executive Director.

- Eligible employees with three years or less continuous employment are eligible for three weeks' vacation.
- Eligible employees with three to ten years of continuous employment are eligible for four weeks' vacation.
- Eligible employees with ten years or more of continuous employment are eligible for five weeks' vacation.

Unused vacation time may not be carried over from year to year unless otherwise specified in a contract.

N. Professional Development:

FLLAC is committed to providing all employees with opportunities for professional growth and development. All employees are expected to keep abreast of and alert to new developments in their field of certification through course work, workshops, lectures and other special study. FLLAC offers a variety of professional development offerings at no charge to FLLAC employees.

Expenses, such as conference registrations for employees wishing to attend professional development offerings not sponsored by FLLAC, will be reimbursed with the prior approval of the Executive Director. Expenses may be limited by the amount included for the purpose of professional development in the program budget. In order to be eligible for reimbursement, the course or conference must be pertinent to the needs of the Collaborative and its students and be taken at an accredited college or institution. In order to be covered for expenses related to professional development, the employee must receive prior approval to attend the training and must provide written documentation as to the nature of the training to the Executive Director. For employees seeking re-imbusement for college coursework, the employee must provide proof that a grade of B or better was received and proof of course payment.

The Collaborative reserves the right to require employees who attend seminars and conferences at FLLAC expense to provide the Collaborative with copies of materials from the

conference and to share conference information with other FLLAC employees through presentations or job-alike trainings.

FLLAC staff who are certified by the MA Department of Elementary and Secondary Education must maintain a professional development plan that aligns with their area of certification and with the FLLAC Professional Development Plan. MA Department of Elementary and Secondary Education certified employees must provide FLLAC with a copy of their professional development plan, which will be used as part of their annual evaluation. Employees are responsible for keeping track of PDPs for their professional development plan and for providing FLLAC with copies of PDP certificates, grades, certificates of attendance and other relevant documentation.

V. Standards of Conduct and Performance

A. Professional Conduct

All FLLAC employees are expected to uphold the highest standards of professional conduct while performing their jobs and when interacting with students, families, district staff, consultants, visitors, fellow employees and others. Professional conduct includes being aware of and acting in accordance with applicable laws, rules and regulations of all levels of government, related public and regulatory agencies, as well as FLLAC policies and procedures.

Appropriate Conduct and Behavior includes but is not limited to:

- Adherence to FLLAC policies, practices and procedures;
- Competent performance of all job duties assigned;
- Prompt and regular attendance at work;
- Courtesy to and respect for co-workers, students, families, district staff or any other person who deals with FLLAC in the conduct of business.
- Wearing proper attire and footwear during working hours, appropriate to the job performed.
- Employee must hold in confidence any information obtained about a student, family or employee in the performance of their duties consistent with the requirements of the workplace and legislation.
- Employees must not engage in, or condone behavior that may cause unnecessary mental, physical distress or loss of dignity, privacy or autonomy to students, families or employees including bullying, hazing or harassment.
- Employees have a responsibility to promote and safeguard the well-being and safety of the students, families and fellow employees at all times.

Unprofessional conduct could result in disciplinary action up to and including termination.

B. Job Descriptions:

All employees of the Collaborative shall be provided with a copy of their job description. The job description shall state the title, qualifications, job goals and responsibilities for the position. Job descriptions shall also state the pay scale and number of days for the position. The Collaborative reserves the right to modify job descriptions as appropriate to meet the needs of the Collaborative. Employees will be notified in writing of any changes in job descriptions.

C. Evaluations:

The FLLAC Collaborative recognizes the importance of providing each employee with periodic evaluations to help maximize professional growth and to maintain expected competencies. Evaluations will be based upon the employee's job description and any performance agreements reached between the employee and the Collaborative. Evaluations will be conducted openly and with the full knowledge of the employee. All employees will be furnished with a copy of the evaluation form. Each staff person will be formally evaluated, in writing, at least one time per year by his or her immediate supervisor. Employees will be given the opportunity to review and comment on their evaluation with their supervisor. The employee and his or her supervisor will sign the evaluation, and the employee will be given one copy of the evaluation. The original will be kept in his or her personnel file. Supervisors may elect to perform evaluations on a more frequent basis, at their discretion.

D. Attendance:

Because FLLAC programs are located in a variety of different school districts the exact hours for each program will be determined based upon the hours of the building in which the program is housed. All program staff are expected to be at work a minimum of 15 minutes before the arrival of students and 15 minutes after the students leave unless other arrangements have been made with the program supervisor.

Hourly employees are required to submit time sheets bi-weekly. The employee's immediate supervisor must sign time sheets and is responsible to ensure their accuracy.

FLLAC staff are expected to fulfill the stipulations of their contracts. Consistent attendance is an essential function of the job. Employees suspected of abusing sick or personal leave will be subject to disciplinary procedures up to and including dismissal. The Collaborative reserves the right to require documentation regarding an employee's absence.

Attendance records for all employees are maintained by the Business Office and are available for review by staff. At the end of each academic year, completed attendance records are filed in the employee's personnel file.

E. Related Service Providers Sign-In Policy:

Related service staff are required to sign in and out of classroom per their program procedure manual.

F. Snow Days and School Cancellations:

School cancellations due to snow or inclement weather are not considered as paid workdays for employees working in school districts that have cancelled school. FLLAC educational programs follow the school calendars and cancellation policies for the district in which they are housed. If the district/school in which a FLLAC program is housed cancels school, then that FLLAC program will also close. Staff who report to work and are released early due to inclement weather will be credited with a full workday.

FLLAC employees should check local television/radio or other media outlets for school cancellation.

FLLAC Central Office staff are expected to report to work if any one of the FLLAC member districts remains open. In the event that all FLLAC member districts with FLLAC programs have cancelled school, the FLLAC Central Office shall close at the discretion of the Executive Director.

VI. Discipline/Discharge/Grievance Procedures

A. Harassment:

It is the policy of the FLLAC Educational Collaborative as well as state and federal law, that harassment of any form, including sexual harassment, of any student, employee, prospective or past employee or visitor, will not be tolerated. Violations of this policy will result in disciplinary action. Any person who believes that he or she has been the target of harassment may seek redress through the Collaborative harassment grievance procedure.

Harassment is defined as:

Any derogatory, malicious, discriminatory or threatening behavior toward an individual or group, either verbal or physical, explicitly or implicitly, based on sex, ethnicity, religion, disability, race, political affiliation or sexual orientation.

Harassment includes, but is not limited to;

- Display or circulation of written materials or pictures of a degrading or derogatory nature, including online or social media postings.
- Verbal abuse or insults directed at, or made in the presence of, any particular individual or group.
- Personally offensive behaviors and behaviors designed to impair morale or interfere with an individual or groups ability to effectively perform their job.
- Unwelcome physical contact.
- Requests for sexual favors in return for employment advancement or favorable evaluations.
- Behaviors that result in creating an intimidating or hostile work environment.

It is important to note that harassment need not be directed at an individual in order for that individual to be offended. All personnel are responsible for implementing, monitoring and enforcing the Collaborative harassment policy.

Retaliation for reporting harassment, in any form, will not be tolerated. Reports of harassment will be kept confidential to the extent possible.

Employees of the FLLAC Collaborative will be made aware of the Collaboratives Harassment Policy and shall be notified in writing of any changes in the policy or the grievance procedures. FLLAC takes the issue of unlawful harassment seriously and encourages individuals to report harassment or suspected harassment.

A formal complaint may be filed at any time by an employee, student, parent, administrator, visitor or job applicant who believes that his/her rights have been violated as outlined in the FLLAC harassment policy. An individual, who believes they have been harassed or has witnessed harassment, should make an attempt to resolve the situation informally or formally with the employee's immediate supervisor. If attempts to resolve the situation are unsuccessful a formal complaint should be filed, in writing, with the immediate supervisor. If the person harassing an individual is that individual's immediate supervisor, then the individual should report the harassment to the Executive Director and/or the Personnel Subcommittee of the Board of Director's. If a formal complaint of harassment cannot be resolved through the Personnel Subcommittee then a written complaint should be filed with the FLLAC Board of Directors.

B. FLLAC Bullying Policy:

The FLLAC Collaborative is committed to providing a safe and secure environment for all FLLAC students. A safe and secure environment means an environment free from any form of bullying or harassment. FLLAC will work together with district staff, parents and outside agencies to identify, investigate and respond to instances of bullying in any of our programs.

Repeated harmful acts involving an imbalance of power. Bullying involves severe or repeated physical, verbal or psychological attacks or intimidation directed against a victim who cannot properly defend him/herself because of size or strength or because the victim is outnumbered or less psychologically resilient.

Bullying includes severe or repeated assault, tripping, intimidation, rumor spreading, demands for money, destruction of property, theft of valued possessions, destruction of another's work and name-calling. Other school behaviors are also recognized as bullying including sexual harassment, ostracism based on perceived sexual orientation, hazing and cyber-bullying.

Any severe or repeated use by one or more students or by a member of the school staff, including but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of any written, verbal or electronic expression or a physical act or gesture, or any combination thereof, directed at another student or staff person that has the effect of:

- Causing physical or emotional harm or property damage
- Placing the student or staff person in reasonable fear of harm or damage to property
- Creating a hostile environment at the program
- Infringing on the rights of others in the program
- Materially disrupting the education process or the orderly operation of the school

can constitute bullying and should be reported.

While it is important to remember that not all taunting, teasing and fighting constitute bullying, any instance in which there are repeated behaviors such as those identified above by someone perceived as being physically or psychologically more powerful will be viewed as bullying.

Bullying will not be tolerated and is prohibited in any FLLAC program or at any FLLAC function including field trips, transportation to and from school or school related functions, social functions and related off campus activities **or** through the use of technology or electronic devices.

FLLAC will maintain and update a bullying prevention plan appropriate to each FLLAC program. This plan shall apply to students and members of the school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.

FLLAC recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness,

academic status, gender identity or expression, physical appearance, pregnancy or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have 1 or more of these characteristics.

C. Discipline and Discharge Procedures:

FLLAC staff are expected to conduct themselves in a professional manner at all times and to adhere to FLLAC policies and procedures. FLLAC uses progressive discipline procedures to address issues of concern. These procedures include oral warnings, written warnings, suspension and discharge. Other personnel actions such as demotions, performance agreements, withholding of benefits, reassignments and the like may also occur for disciplinary reasons. FLLAC attempts to impose discipline commensurate with the nature of the offense and the employee's work history. It is possible that certain actions/inactions warrant immediate discharge, suspension or discipline outside the normal progressive discipline procedures. The Executive Director shall make decisions regarding involuntary discharge.

Employees who are discharged must return all keys, records, technology and other property of the Collaborative. Final compensation shall not be issued until the employee has done so. An employee who is discharged shall not be compensated for accrued vacation time.

Examples of grounds for discharge include, but are not limited to: use or possession of narcotics, alcohol or controlled substances at work or at work-related events where students are or may be present; theft, destruction or unauthorized use of another's property; insubordination; threatening or overtly hostile behavior, falsification of work- or student-related documents; frequent and unexplained tardiness or absences; failure to maintain professional confidences; criminal or unethical behavior; or failure to satisfactorily perform assigned job duties. Unsatisfactory performance and/or unprofessional conduct shall be documented through the progressive discipline process.

D. General Grievance Procedures:

The purpose of the grievance procedure is to resolve issues as quickly and equitably as possible and at the lowest possible administrative level. Grievance procedures will be kept as informal and confidential as may be appropriate at any level of the procedure.

In general, the grievance procedure starts with the employee's immediate supervisor. If the issue cannot be resolved at this level, the grievance may be addressed with the Executive Director. If at this level a grievance remains unresolved, the employee may request that the grievance be heard by the Personnel Sub-Committee, which may be accessed through the Chairman of the Board. If a grievance is not resolved by the Personnel Sub-Committee, a formal grievance may be submitted in writing to the Board of Directors. The decision of the Board of Directors will be final.

E. Lay-off and Reduction in Force:

If a reduction of force (RIF) or transfer becomes necessary, the following factors will be used in reaching staffing decisions: certification, job performance, length of service, experience within a discipline, experience within the Collaborative, and the overall needs of the Collaborative.

Twenty working days' notice of reduction of force will be given in writing, should the RIF/lay-off take place during the school year.

Staff affected by a RIF/lay-off will be placed on a recall list for up to two years following the RIF. Factors used in determining a RIF will be utilized in determining the order of re-hire. During the eighteen month period, staff will retain accrued benefits and be eligible to continue participation in the group insurance program at full cost to the individual.

F. Reassignments and Transfers:

The Collaborative reserves the right to re-assign staff on a short or long-term basis, to comparable duties in other Collaborative programs based upon the needs of the Collaborative. Reassignments are not subject to grievance procedures, but the Collaborative will provide notice of reassignment and an opportunity to discuss the reassignment in advance.

FLLAC staff may request a transfer to another classroom or program within the Collaborative. In order to do so, the staff member must be an employee in good standing and must complete a transfer request form. Transfer request forms should be submitted to the employee's immediate supervisor. All transfers must be approved by the Executive Director.

FLLAC is committed to providing staff with a rewarding and satisfying work experience. Vacancies within the Collaborative will be posted internally and externally. Based upon the needs of the Collaborative, internal candidates will be given a preference in filling vacancies.

G. Notice of Voluntary Termination:

Employees are required to give 20 working days' notice if they wish to voluntarily terminate employment with the Collaborative. Employees wishing to voluntarily terminate employment with the Collaborative with less than 20 days' notice may do so at the discretion of the Executive Director.

VII. General Policies

A. Drug Free Workplace:

It is the intent and obligation of the FLLAC Collaborative to provide a drug free, healthful, safe and secure work environment. Employees are expected and required to report to work on time and in appropriate mental and physical condition to perform their job requirements.

The unlawful use, manufacture, distribution or possession of a controlled substance on FLLAC premises, in FLLAC classrooms or while conducting FLLAC business is prohibited. Violations of this policy will result in disciplinary action up to and including discharge.

In compliance with the Drug Free Workplace Act of 1988, employees must, as a condition of employment, abide by the conditions of the policy above and must report any conviction under a criminal drug statute for a violation occurring on or off FLLAC premises or while conducting FLLAC business. A report of such conviction must be made to FLLAC within five (5) days of conviction.

B. Smoking Policy:

The programs of the FLLAC Educational Collaborative comply fully with the public and private school provisions of the federal Pro-Children Act of 1994 (Section 1041 of the Goals 2000: Educate America Act, P.L. 103-227, 20 USC 6081) which prohibits smoking inside facilities used for preschool, elementary or secondary education or library services to children and on public school grounds.

In addition, the program will comply with M.G.L. c. 71, § 37H, which prohibits smoking by any individual within school buildings, grounds, facilities and buses or at any FLLAC sponsored functions or activities at which FLLAC students are present.

Posting:

Prohibition of tobacco, vaping or marijuana use signs will be posted in FLLAC Educational Collaborative programs. These postings will be hung in locations such that all students, staff and visitors will be made aware of the policy.

Enforcement:

The success and compliance of these regulations depend on the thoughtfulness, consideration, and cooperation of smokers and nonsmokers. All individuals share in the responsibility for adhering to and enforcing this policy. Any individual who observes a violation should report to appropriate staff.

Violation by Students:

Any violation of this policy by students shall be referred to the program administrator. Students who violate provisions of this policy shall be subject to building student discipline procedures.

Violations by Staff:

Any violation of this policy by staff shall be referred to the program administrator. Any staff violating this policy will be subject to discipline procedures as outlined in the Personnel Policies.

Violations by Visitors:

Any violation of this policy by visitors shall be referred to the program administrator. Visitors who are observed using tobacco, vaping or marijuana on school property shall be asked to refrain from smoking. If the individual fails to comply with the request, the program administrator will make a decision on further action that may include a directive to leave school property. Repeated violations may result in a recommendation to prohibit the individual from entering school property for a period of time. If deemed necessary, the program administrator may deem it necessary to contact the local law enforcement agency to assist with the enforcement of this law.

In addition all FLLAC employees working in classrooms of our member districts are required to comply with all applicable district policies regarding smoking and tobacco use.

C. Personnel Manuals:

In addition to providing a copy of the FLLAC Personnel Policies Manual to each employee, FLLAC will ensure that a copy of the manual will be located in each FLLAC classroom or program. FLLAC staff will be asked to sign a statement acknowledging the receipt of a copy of this Personnel Manual at the time of employment and whenever new/revised copies of the Personnel Manual are issued. A manual containing information and procedures specific to each program will be maintained by the program and be made accessible to employees and families.

D. Health and Safety:

Infection Control

FLLAC requires the use of appropriate infection control procedures in each classroom or program. The FLLAC nurse will provide training on infection control procedures to every

FLLAC employee at least annually. Specific infection control procedures for each program must be approved by the FLLAC nurse and must be available to any employee in the program and to the families of students in the program.

FLLAC recognizes the right to privacy of employees and students. Information on student or employee health shall remain confidential and shall be shared only with staff having a direct need to know consistent with all HIPPA and other related laws and regulations.

Materials/Right to Know

Employees have a right to know the nature of materials they may encounter in the work place. Materials Safety Data Sheets for common materials in the Caldwell program environment are maintained by the Caldwell Office. Procedures pertaining to infection control and Right to Know regulations shall be posted in all FLLAC facilities.

FLLAC cannot assume responsibility for materials used in buildings housing FLLAC programs. FLLAC employees should consult with staff from the host district with questions about materials that may be used in their classrooms/program areas.

E. Mandated Reporting:

All FLLAC staff are mandated reporters under the State's Mandated Reporting Act (51A). FLLAC staff will be issued a copy of the reporting regulations when they are hired. FLLAC places the highest possible priority on the safety and privacy of our students. Any abuse or suspected abuse of a student should be immediately reported to the employee's immediate supervisor. This does not, in any way, preclude the employee's right to report such abuse or suspected abuse to the MA Department of Social Services and/or the MA Department of Mental Retardation Disabled Persons Protective Commission.

F. Emergency Procedures and Incident Reporting:

An administrator or supervisor will always be available to all FLLAC programs to handle emergencies. A list of administrators in charge to cover emergencies will be maintained at the Central Office and in the program offices. Incidents involving injury to a staff person should be reported to the administrator/supervisor as soon as possible. Employees must complete an employee Accident/Incident Report form and submit it to their supervisor within 24 hours of the accident/incident. Accident/Incident Report forms are available from program supervisors, at the program offices and at the Central Office.

G. Computer and Internet Use:

The Administration and Board of Directors of the FLLAC Educational Collaborative recognize that technology and the Internet can provide our students and staff with a wide variety of resources designed to enhance the educational process and further the goals of the Collaborative. FLLAC requires our students and staff to utilize this resource under the following regulations.

- The FLLAC Collaborative reserves the right to restrict access to obscene, pornographic or libelous matter or materials that are deemed illegal or that violate copyright laws. Access to the Internet/world-wide web is a privilege, and as such may be revoked at any time.
- Students and staff are expected to follow generally accepted rules of network etiquette, as provided by the service provider.

- Students will be provided an appropriate summary of the policy regarding use of technology and the Internet and, when appropriate, must sign a statement agreeing to use the Internet in accordance with FLLAC policy.
- Students must obtain written and informed consent from their parents or legal guardians before they can access the Internet/www through the Collaborative. Parents/Guardians must receive written notification of the FLLAC policy regarding the use of technology and the Internet.
- Students will never give their name, address, phone number, school address or other identifying information over the web while using FLLAC technology.
- FLLAC takes no responsibility for the accuracy or quality of material accessed on the web or through the Internet.
- Students may only download information under the supervision of a FLLAC staff person.
- FLLAC reserves the right to examine all data stored on Collaborative computers and other related technology.
- FLLAC staff and students are expected to abide by all copyright and related regulations.
- The use of the Internet/world-wide web must support the educational goals of the Collaborative.

All FLLAC computers must be equipped with appropriate virus protection and Internet monitoring and filtering software. It is the responsibility of classroom staff, teachers and program supervisors to ensure that computers are appropriately protected and that filters are in place. Staff with questions or concerns about Internet filters and virus protection should notify their program supervisor.

H. FLLAC Policy Social Networking Web Sites:

The Executive Director and Program Supervisors will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using Facebook, Twitter and similar internet sites or social networks, or via cell phone, texting or telephone.
 - a. Teachers may not list current students as “friends” on networking sites.
 - b. All e-contacts with students should be through the district’s computer and telephone system, except emergency situations.
 - c. Teachers will not give out their private cell phone or home phone numbers without prior approval of the district.
 - d. Inappropriate contact via e-mail or phone is prohibited.
2. Inappropriateness of posting items with sexual content.
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol.
4. Examples of inappropriate behavior from other districts, as behavior to avoid.
5. Monitoring and penalties for improper use of district computers and technology.
6. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Executive Director or designees will periodically conduct Internet searches to see if staff have posted or accessed inappropriate materials on-line. When inappropriate use of

computers and websites, including instances of cyber-bullying or harassment is discovered, the Program Supervisor and/or Executive Director will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up to and including termination.

I. Use of Restraint:

FLLAC policies and procedures on the use of restraint will be reviewed as part of the orientation procedure for all employees and annually at the FLLAC fall orientation meeting.

The FLLAC Collaborative does not support the use of procedures that are aversive, coercive and/or restrictive in our educational programs. Aversives are defined as any procedure or device designed to cause discomfort or pain to a student or that could lead to serious psychological trauma. Aversive procedures include, but are not limited to; water sprayed at a student, slapping, pinching or spanking a student, white noise, strong or unpleasant tastes given to a student, electric shock to the body, blindfolding, ammonia capsule applied to the nose, forced exercise, withholding of food or any similar device, practice or procedure.

Coercive or restrictive procedures use unnecessary amounts of control and manipulation in an effort to modify behavior

FLLAC encourages the use of positive behavioral support plans designed to increase desirable behaviors. FLLAC staff and consultants working in FLLAC programs are encouraged to work with the educational team to develop behavior support plans that teach appropriate behaviors and enhance student well-being and self-esteem. FLLAC staff should make every effort to identify a student's purposes for behaving in dangerous or disruptive behaviors and to offer support and education to teach alternative behaviors that are positive and will meet the student's needs.

It is the responsibility of FLLAC staff to consult with their program supervisor if they have any concerns about procedures or practices used in FLLAC programs that could be considered aversive, coercive or restrictive.

Policy on the Use of Restraint in FLLAC Education Programs

Every student participating in FLLAC education programs has the right to be free from the unreasonable use of restraint. Restraints should be used only in emergency situations and with extreme caution. FLLAC personnel should utilize restraints with two goals in mind: To administer a restraint only when needed to ensure the safety of the student and the school community and to prevent any harm to the student as a result of the use of restraints.

1. Procedures and Training- When Restraint May Be Used:

The use of restraint is proper in the following circumstances:

- The student's behavior poses a serious threat of injury to self or others; and,
- All less restrictive alternatives have been determined inappropriate or ineffective or have been tried and have failed.
- There are no medical or psychological contraindications for the use of restraint noted by a physician or licensed mental health professional. The documentation expected of a licensed physician and licensed mental health professional does not require the individual to state his

or her agreement to the use of restraint with a particular student. It requires only that the professional state his or her informed opinion that there are no contraindications with respect to the use of restraint.

No type of restraint should be used as punishment or to control a student's behavior over an extended period of time. Use of restraints cannot be part of a student's IEP or behavior plan. Restraint is a last resort, emergency measure; it is not a treatment option, and use of restraint may not be a condition of admission or continued enrollment. Programs may not seek parental consent to the use of restraint except for prone restraint.

2. Proper Administration of Restraints:

- a. Chemical restraint: FLLAC does not utilize chemical restraint(s). Medication restraint does not include use of medication prescribed by a licensed physician and authorized by parent for administration in the school setting.
- b. Mechanical Restraint: No student should be placed or left in mechanical restraint(s). Mechanical restraint does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. For example, the use of a Rifton chair for positioning is allowed; however it may not be used to restrain a student for behavior management purposes.
- c. Seclusion Restraint: FLLAC does not utilize seclusion restraint.
- d. Physical Restraint: A person administering a physical restraint should use only the amount of force necessary to stop the dangerous or violent actions of the student. Whenever possible, physical restraint should be applied by holding the student in an upright standing or sitting position. Prone restraints should be used only when directed by trained personnel. The use of prone restraint is now prohibited except when the following criteria, set out in 603 CMR 46.03(1) (b), are met:
 - The student has a documented history of repeatedly causing serious injury to self or others;
 - All other forms of restraint have been unsuccessful in ensuring safety;
 - There are no medical contraindications as documented by a licensed physician;
 - There is psychological or behavioral justification with no psychological or behavioral contraindications as documented by a licensed mental health professional;
 - The program has obtained consent from the parent to use prone restraint in an emergency, and the consent has been approved in writing by the principal
 - The program has documented all of the above in advance of the use of prone restraint.

These additional precautions and requirements are necessary to reduce the risk to the student, because use of prone restraint has been linked to significant injury and death. If consent is not given or the other criteria set out in 603 CMR 46.03(1) (b) are not met, prone restraint is prohibited and may not be administered.

General Guidelines:

- a. No restraint should be administered in such a way that the student is prevented from breathing or speaking. No restraint should be administered in such a way that the student is physically harmed by such restraint (s).
- b. When a physical restraint is used, to the extent that the student is able to communicate, she/he should be offered the opportunity to have a restraint removed at any time that he/she agrees to cease the dangerous or violent behavior. Such offer should be made periodically throughout the restraint. Staff should be particularly sensitive to student's attempts to communicate, especially when working with non-verbal students.
- c. All physical restraint must end as soon as the student is no longer an immediate danger to himself or others. Additionally, a restraint must be stopped if the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing or sustained or prolonged cry or coughing. Furthermore, if it appears that a student may need to be restrained for more than 20 minutes, program staff members must obtain the approval of the principal before continuing the restraint beyond the 20 minutes. Before making a decision on the extension, the principal must be informed of all critical details regarding the restraint of the student, including the type of restraint and the student's behavior and condition during the restraint, so that he or she may determine whether continued restraint is justified based on the student's continued agitation. When monitoring students who are being restrained, staff members must look for any changes in how the student typically presents. A noticeable change in skin color or skin temperature may indicate that the student is in distress and he or she should be released from the restraint.

3. Reporting Requirements:

Staff are required to track and document every restraint that occurs during the school day. It is required that the principal or program supervisor of the program will maintain an ongoing record of restraints. There is a requirement for notification to the parents both verbally and by written report (see 603 CMR 46.06(2-3)). The written report must include the following:

- The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05 (5) (c).
- A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- A description of the administration of the restraint including the holds

used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.

- Information regarding any further actions (s) that the school has taken or may take, including any consequences that may be imposed on the student.
- Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student and any other related matter.

4. Review of Reports:

Individual reviews must be conducted on a **weekly basis** by the school principal or program supervisor to determine if any student has been restrained multiple times during the week. If so then the principal must convene a review team to discuss and assess the written reports for each individual student identified. In addition, the review team will consider any comments provided by the student or parent and will analyze the circumstances leading up to each restraint in order to consider factors that may have contributed to the escalation of behaviors and alternatives that could be used in the future. The goal of the review team is to reduce or eliminate the use of restraint in the future. The review team will agree on a written plan of action to that end for each student discussed.

Additionally, the principal or program supervisor shall conduct a monthly review of program-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal or program supervisor shall determine whether it is necessary or appropriate to modify the program's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

Reporting to the Department of Education:

FLLAC Principals or Program Supervisors must report all serious restraint-related injuries to the Department. As of January 1, 2016 when a physical restraint results in **any** injury to a student or program staff member the program must send a copy of the written report required by 603 CMR 26.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The program must also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint.

Additionally, under the revised regulations, programs and schools will report **all** physical restraints to the Department in a manner and form directed by the Department and maintain a log of restraints in a form specified by the Department. Each FLLAC education program should ensure that procedures are

developed and communicated regularly to collaborative staff and reviewed at least annually regarding:

- prevention of student violence and suicide
- proper responses to student altercations and other situations that may require immediate intervention
- use of the Collaborative's code of student discipline
- the proper use of restraint for each building in which a FLLAC education program is conducted, either the teacher or his/her designee is provided with training on the proper use of physical restraints.

5. Training:

General Training:

The general training for all staff must cover information (consistent with 603 CMR 46.04(2)) on the role of the student, family, and staff in preventing restraint. The training must cover the program's restraint prevention and behavior support policy and procedures, including the use of time-out as distinct from seclusion. Participants must learn about interventions that could be used to preclude the need for restraint, as well as de-escalation techniques and other alternatives. Staff must receive information on the types of permitted physical restraints and related safety considerations, including medical or psychological limitations, known or suspected trauma history. Staff who have received or will receive in-depth training and who can serve as resources to others should be identified to the school staff as a whole.

In-Depth Training:

According to regulation at 603 CMR 46.04(4), In-depth training must include at least the following:

- appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
- a description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- the simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
- demonstration by participants of proficiency in administering physical restraint; instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

- each program supervisor determines a time and method to instruct staff regarding the restraint policies of the collaborative and state. Such discussion should take place within the first month of each school year and should include a review of the applicable policies, as well as identification of program staff who have been trained in the use of restraints.
- at the beginning of each school year, FLLAC education programs identify those classrooms and programs that serve students with behavioral difficulties. Staff assigned to those classes and programs should be offered training in the proper use of restraints. Although training should be offered to all staff, the program should identify key staff members who are required to participate in such training.
- whenever possible, restraints be administered by trained personnel, and the administration of a restraint be witnessed by at least one adult who does not participate in the restraint.

6. What is Not Considered Restraint:

Brief Physical Contact to Promote Student Safety refers to measures taken by school personnel consisting of physical contact with a student for a short period of time solely to prevent an imminent harm to a student, for example, physically redirecting a student about to wander on to a busy road, grabbing a student who is about to fall, breaking up a fight between students. Brief Physical Contact is not considered restraint.

Physical escort is the temporary touching or holding without the use of force for the purpose of guiding or inducing a student who is agitated to walk to a safe location. An escort to time-out is considered a restraint only if physical force is required to move the student against his/her will.

Mechanical devices implemented by trained school personnel, or utilized by a student;

- that have been prescribed by an appropriate medical or related services professional; and
- are used for the specific and approved positioning or protective purposes for which such devices were designed.”

Examples of exceptions: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Definitions

Restraint - Generally: Deliberately limiting the physical freedom of an individual student by means of physical holding, mechanical devices, or the oral administration of drugs. The term shall also include seclusion in a limited space or location as a means of limiting freedom of movement.

Mechanical Restraint: The use of tapes, padded ties, restrictive blankets or other devices to restrict the movement of a student. Devices used to physically support a student, prevent physical harm to a student or assist a student to function independently such as lap trays on a wheelchair, splints to prevent joint contractures or helmets designed to protect a child with a seizure disorder from injuring his/her head, are not considered mechanical restraints.

Physical Restraint: Physically holding a student in order to restrict the student's freedom of movement.

Seclusion Restraint: Confinement of a student alone in a limited physical space as a means of limiting his/her freedom of movement. The use of "time out" shall be considered "seclusion restraint" only if the student is completely removed from his/her classroom and locked in a location within or outside the school without an adult present. FLLAC does not use any form of seclusion where a student is locked in a time out or seclusion area.

Chemical restraint: Chemicals or drugs, including prescription medication, orally administered on an "as needed" basis to limit the physical freedom of the student. Chemical restraint does not include prescription medication that is regularly administered to the student for medical reasons rather than to restrain the student's freedom of movement (e.g. Ritalin).

School Working Day: Any day or partial day that students are in attendance at a FLLAC education program for instructional purposes.

Disclaimer: This policy is not intended to deter any individual from reporting to appropriate authorities a crime committed by a student or other individual. This policy does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by any person.

J. Pets and Animals:

Animals are not allowed in FLLAC classrooms except when used for purposes directly related to the classroom/program curriculum and only then with the permission of the program supervisor and the Executive Director. Animals may only be brought into the classroom/program for a specified period of time. It is the responsibility of the classroom teacher/program staff person to notify, in writing, the program supervisor and the Executive Director and to provide documentation that the animal is properly vaccinated and trained. FLLAC staff may not bring personal pets to work with them.

The FLLAC Educational Collaborative recognizes that, for some students, pets serve a therapeutic purpose. There are, however, a number of concerns that need to be addressed when staff or students request permission for pet visits. In order to address these concerns, all pet visits must be approved in advance by the program principal and adherence to the following protocol is required.

1. The principal will consult with the nurse regarding allergies amongst the students.
2. Parents/guardians of the children that are expected to be handling the animal will be contacted:
 - a. In order to ascertain if there are any known allergies.
 - b. In order to rule out other concerns they may have for their children.
3. Animals will be immunized and licensed as required under state law.

4. The length of the visit will be known and approved by the program principal in advance.
5. Turtles, parrots, raccoons, bats, or wildlife known to carry rabies or other diseases are prohibited.
6. Proper hand washing procedures will be followed after handling any animals.
7. All visiting pets will be prohibited from food preparation and dining areas.
8. The School Nurse will oversee proper health and safety protocols.
9. It will be the Principal's discretion to amend any previous agreements for any pet visit, if it is in her/his opinion:
 - a. Protocols are not being followed,
 - b. The visit is interfering with the education of the students, or
 - c. No noticeable benefit is observed.

K. Appropriate Attire:

FLLAC staff are expected to wear clean, neat clothing that is appropriate to the program in which they work. FLLAC will not be responsible to replace/repair valuable jewelry, technology or other personal items or expensive clothing damaged or destroyed during the course of employment.

L. Use of Volunteers:

FLLAC welcomes volunteers in our programs. Volunteers often bring experiences and assistance that can enrich the educational process for our students. Because of their willingness to give of their time and energy, volunteers deserve and require appropriate supervision and support from all Collaborative staff.

Volunteers work with students, assist FLLAC staff in carrying out clerical and other support functions, and provide assistance with social and recreational activities. In doing so, all volunteers must adhere to the FLLAC Educational Collaborative Regulations Pertaining to the Use of Volunteers.

- Volunteers must apply and be approved by a FLLAC administrator or program supervisor before working in any FLLAC program. They must be provided with a copy of this volunteer policy at the time they begin volunteering.
- Volunteers must never be left alone in a supervisory position with FLLAC students. They must work under the direction of their supervisor or their supervisor's designee.
- Volunteers should be given an orientation to program students and procedures before working in any FLLAC program.
- Volunteers are expected to respect the privacy of all FLLAC students and their families. They may not access student records or other personal information.
- All volunteers are subject to a CORI background check.
- Volunteers may not lift or transfer students.
- Volunteers should not be involved in toileting, changing or attending to the personal needs of students.
- Volunteers who want to push students who use wheelchairs must be given an introduction to wheelchair safety by their supervisor.
- Volunteers may not transport students in personal vehicles.
- Volunteers should adhere to all infection control procedures.
- Volunteers may not be used to implement a behavior management program.
- Volunteers may not intervene physically with or restrain any FLLAC student.

- Volunteers should not feed students and should check with staff before offering students any food or drink.
- In the event of an emergency, volunteers should follow the directions of program staff.

M. Vendors and Contractors:

Vendors and contractors who are working in FLLAC classrooms or at FLLAC sites must never be left alone with or in charge of FLLAC students. Vendors and contractors wishing to have access to FLLAC students at school must make an appointment before arriving to work with students. Vendors and contractors without an appointment with the classroom teacher, program supervisor or therapist will not be allowed access to any student. FLLAC staff should contact your program supervisor or have authorization from a program supervisor before allowing vendors and contractors access to any students and always make sure that they are properly supervised.

N. Cell Phone Use:

Cell phones or other electronic communication devices should not be used for personal business during instruction time except in the case of an emergency. Instruction time includes any time when students are present and under the supervision of FLLAC staff including recess and lunch periods. Please consult with the program supervisor for specifics on cell phone usage in a particular program.

O. MCAS Testing:

All students in grades 3 and above attending FLLAC programs are required to participate in MCAS testing per the MA Department of Elementary and Secondary Education. Each student's educational team will determine any necessary accommodations. The program supervisor will make appropriate arrangements for these accommodations. Please refer to individual programs for their policy regarding MCAS Testing.

P. FLLAC Policy on Providing Translation and Interpreter Services:

On acceptance to a FLLAC program the Program Supervisor will review each student's IEP to determine if the student's primary language at home is not English and, if that is the case, will implement FLLAC's policy for providing interpreter and translation services as below. FLLAC will also work with the family to create a communication plan specific to that family and student.

Translation and Interpreter Services:

The FLLAC Collaborative has a contract with Eterpreting for telephonic interpreting services. FLLAC also uses Eterpreting for onsite (face to face) interpreting and for translation of documents. Eterpreting maintains interpreters in approximately 32 languages.

For Meetings (Telephonic):

Each of the three FLLAC Programs, ASD/DD, Caldwell Alternative and Caldwell Elementary, has an access code. If there is a need for telephonic interpreting services an authorized program staff person will dial in to Eterpreting, enter the access code and an interpreter will be provided via conference call, usually within 1-2 minutes depending on the language.

For Meetings (On Site):

FLLAC will provide the date/time/location of the meeting to Eterpreting via Eterpreting online scheduling site, <http://www.eterpreting.com/schedule-an-interpreter.html> or via phone at 855-

910-3600. Once an interpreter has been confirmed Eterpreting will send a contract confirming the details and costs of the services and is scheduled.

Document Translation:

FLLAC will send Eterpreting documents requiring translation as a PDF or Microsoft Word file.

Eterpreting will analyze the document and provide a quote for the service.

An authorized FLLAC staff person will approve the quote and an Eterpreting translator will complete the translation and send the document back as a PDF file with a certificate that proved translation accuracy. Eterpreting translators are certified by the American Translator Association and are Medical/Court Approved Translators in Massachusetts.

Eterpreting can translate transcripts, diplomas, health records, report cards, IEP reports, Education Plans, training materials, handbooks, policy guidelines and marketing materials.

For Parents/Students who are unable to read or are blind or deaf:

If the parents or the student are unable to read in any language or are blind or deaf, communications are made orally in English with the use of a foreign language interpreter, in Braille, in sign language, via TTY, or in writing, whichever is appropriate, and all such communications are documented.

If FLLAC provides notice orally or in some other mode of communication that is not a written language a written record will be kept documenting that notice was provided, the content of the notice and the steps to ensure that the parents understood the content of the notice.

FLLAC works closely with the sending school district to ensure that communication with families is clear and understandable and will utilize district interpreter and translation services when available.

Q. FLLAC Hazing Policy:

FLLAC prohibits hazing in any form.

Definition:

The term "hazing" shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of the law to be contrary, consent shall not be available as a defense to any prosecution or discipline under this action.

FLLAC shall issue to every student group, student team or student organization which is part of FLLAC or is recognized by the FLLAC or permitted by the FLLAC to use its name or facilities or is known by FLLAC to exist as an unaffiliated student group, student team, or student organization, a copy the FLLAC Hazing Policy; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this policy to unaffiliated student groups, teams, or organizations shall not constitute evidence of

the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of the FLLAC Hazing Policy to each of its members or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the FLLAC Administration an attested acknowledgement stating that such group, team or organization has received a copy of the FLLAC Hazing Policy and that each of its member or applicants has received a copy of the FLLAC Hazing Policy, and that such group, team or organization understands and agrees to comply with the provisions of this policy.

FLLAC shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a student a copy the FLLAC Hazing Policy.

FLLAC will file, at least annually, a report to the board of education, certifying that FLLAC has complied with its responsibility to inform student groups, teams or organizations and to notify each student enrolled by it of the FLLAC policy on hazing and has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communication FLLAC's policy on hazing to students.

Reporting:

Whoever knows that another person is the victim of hazing as defined above and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report incidents of hazing to the FLLAC Administration and to an appropriate law enforcement official as soon as reasonably practicable.

R. Whistleblower Policy:

FLLAC Educational Collaborative is committed to lawful and ethical behavior in all of its activities and requires directors, officers, and employees to act in accordance with all applicable laws, regulations and policies in the conduct of their duties and responsibilities. It is the responsibility of all directors, officers, and employees to report violations or suspected violations of the law. The purpose of this policy is to assure that any potential violation comes to the attention of the Collaborative administration, and to make all parties aware of protections afforded them.

Massachusetts General Laws Chapter 149, Section 185 protects public employees who report, or refuse to participate in, any activity or practice that the employee reasonably believes to be in violation of a law, rule, or regulation (or which the employee reasonably believes to pose a risk to public health or safety).

The FLLAC Educational Collaborative cannot, and will not, discharge, suspend, demote, or take any other retaliatory action if an employee does bring such violation to the attention of his/her supervisor or Collaborative administration and afford them the opportunity to correct the situation. A report of violation is considered filed if it is put in writing to the Executive Director or the Chairperson of the Executive Board of Directors. If the employee knows that certain supervisors are aware of a violation and the situation is an emergency, or if the employee reasonably fears physical harm resulting from disclosure or if disclosure is evidence of a crime, the employee would also be covered under this policy if the violation is reported to an appropriate public authority.

If the employee believes the Collaborative has violated this policy, then Massachusetts Law provides that the employee can file civil action within 2 years of the incident believed to be retaliation.

S. Fraud Policy:

This policy applies to any fraud or suspected fraud involving employees, officers or directors and/or any other parties with a business relationship with the Collaborative. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship with the Collaborative.

Members of the administration are responsible for the detection and prevention of fraud, misappropriations, and other irregularities. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity.

Any fraud that is detected or suspected must be reported immediately to the Executive Director or, alternatively, to the Chair of the Board of Directors, who coordinates all investigations.

Actions Constituting Fraud:

The terms fraud, embezzlement, misappropriation, and other fiscal irregularities refer to, but are not limited to:

1. Any dishonest or fraudulent act
2. Forgery or alteration of any document or account belonging to the Collaborative
3. Forgery or alteration of a check or any other financial document
4. Misappropriation of funds, securities, supplies, equipment, or other assets of the Collaborative
5. Impropriety in the handling or reporting of money or financial transactions
6. Disclosing confidential and proprietary information to outside parties
7. Accepting or seeking anything of material value from contractors, vendors, or persons providing goods or services to the Collaborative.
8. Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment
9. Any similar or related irregularity

Irregularities concerning an employee's moral, ethical, or behavioral conduct should be resolved by the Executive Director.

If there is a question as to whether an action constitutes fraud, contact the Business Manager, Executive Director, or the Chair of the Board of Directors for guidance.

The Board of Directors has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. The Board of Directors may utilize whatever internal and/or external resources it considers necessary in conducting an investigation. If an investigation substantiates that fraudulent activities have occurred, the Board of Directors will issue reports to appropriate designated personnel.

Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final dispositions of the case.

If suspected fraud or other wrongdoing involves programs funded in whole or in part with Federal funds, additional responsibilities, such as special reporting and disclosure to the awarding agency, may apply to the organization. It is the policy of the Collaborative to

fully comply with all additional reporting, disclosure and other requirements pertaining to suspected acts of fraud as described in award documents.

Confidentiality and Reporting Procedures:

The Board of Directors, the Business Manager and Executive Director treat all information received confidentially. Any employee who suspects or discovers dishonest or fraudulent activity will notify the Executive Director or the Board of Directors Chair immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act. The employee or other complainant may remain anonymous.

All inquiries concerning the activity under investigation from the suspected individual(s), his or her attorney or representative(s), or any other inquirer should be directed to the Executive Director or legal counsel. No information concerning the status of an investigation will be given out.

The reporting individual should be informed of the following:

1. Do not contact the suspected individual in an effort to determine facts or demand restitution.
2. Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Collaborative legal counsel or the Executive Director.

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Collaborative from potential civil liability.

Members of the Collaborative Board of Directors or their delegates will have:

1. Free and unrestricted access to all the Collaborative records and premises, whether owned or rented;
2. The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who may use or have custody of any such items or facilities when it is within the scope of their investigations.