

Section: G
Category: Personnel
File: GA

CODE: PERSONNEL POLICIES GOALS

The Board realizes they are responsible to the students and member districts they represent to ensure that the highest quality individuals available are hired to meet the needs of the member districts. They have the additional responsibility to articulate the expectations of the member districts relative to personnel. This must be done in the form of Collaborative Policy. The Board recognizes that an efficient staff dedicated to constantly improving educational programs and services is necessary.

The Collaborative's specific personnel goals are:

1. To develop and implement those strategies and procedures for personnel recruitment, screening, and selection that will result in the employment and retention of individuals with the highest capabilities, strongest commitment to quality education, and greatest probability of effectively implementing Collaborative programs.
2. To develop a general staff assignment strategy that will contribute to the learning program and to use it as the primary basis for determining staff assignments.
3. To provide positive programs of staff development that contribute both to improvement of the learning program and to each staff member's career development aspirations.
4. To provide for a genuine team approach to education.
5. To develop and use for personnel evaluation positive processes that contribute to the improvement of both staff capabilities and the learning program.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References: 603 CMR 26:08, Paragraph 3, 7, 8, 9

Section: G
Category: PERSONNEL
File: GBA

CODE: EQUAL EMPLOYMENT OPPORTUNITY

Under state law, the Collaborative is prohibited from discriminating against any person in regard to any term or condition of employment (including educational opportunities and affirmative action) based on gender, race, color, religion, national origin, ancestry, sex, age, marital status, handicap or disability, mental illness, retaliation, sexual harassment, sexual orientation, service in the military, and the results of genetic testing or any other class of individuals protected against discrimination under state or federal law. In addition, the Collaborative has an affirmative responsibility to provide maternity leave to biological and adoptive parents.

Under federal guidelines of [Title VII of the Civil Rights Act of 1964](#), the [Americans with Disabilities Act \(ADA\)](#), and the [Age Discrimination in Employment Act \(ADEA\)](#), it is illegal to discriminate in any aspect of employment, including:

- hiring and firing;
- compensation, assignment, or classification of employees;
- transfer, promotion, layoff, or recall;
- job advertisements;
- recruitment;
- testing;
- use of Collaborative facilities;
- training and apprenticeship programs;
- fringe benefits;
- pay, retirement plans, and disability leave; or
- other terms and conditions of employment.

Discriminatory practices under these laws also include:

- harassment on the basis of race, color, religion, sex, national origin, disability, or age;
- retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices;
- employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain sex, race, age, religion, or ethnic group, or individuals with disabilities; and
- denying employment opportunities to a person because of marriage to, or association with, an individual of a particular race, religion, national origin, or an individual with a disability. Title VII also prohibits discrimination because of participation in schools or places of worship associated with a particular racial, ethnic, or religious group.

The Collaborative posts notices to all employees advising them of their rights under the laws EEOC enforces and their right to be free from retaliation.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

***Lower Pioneer Valley Educational Collaborative
Board of Directors Policy***

Section: G
Category: Personnel
File: GBD (BHC)

CODE: BOARD OF DIRECTORS – STAFF COMMUNICATIONS

The Board wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Executive Director.

Staff Communications to the Board

All communications or reports to the Board or any of its subcommittees from directors, supervisors, teachers, or other staff members will be submitted through the Executive Director. This procedure does not deny the right of any employee to appeal to the Board from administrative decisions on important matters except those that are outside the Board's legal authority, provided that the Executive Director has been notified of the forth-coming appeal and that it is processed in accordance with the Board's policy on complaints and grievances. Staff members are also reminded that Board meetings are public meetings. As such, they provide an excellent opportunity to observe first hand the Board's deliberations on problems of staff concern.

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All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Executive Director. The Executive Director will develop appropriate methods to keep staff fully informed of the Board's problems, concerns, and actions.

Visits to Schools

Individual Board members interested in visiting schools or classrooms will inform the Executive Director of such visits and make arrangements for visitations through the Directors of the various programs. Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: G
Category: PERSONNEL
File: GBEA

CODE: STAFF ETHICS/CONFLICT OF INTEREST

The Board expects members of its professional staff to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, parents, coworkers, and officials of the member districts.

No employee of the Board will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his duties and responsibilities with the Collaborative. Nor will any staff member engage in any type of private business during school time or on Collaborative property.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through Collaborative sources.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to him.

The Executive Director and/or Human Resource Director may request LPVEC staff or members of the Board to present questions or issues pertaining to the Conflict of Interest Law for Municipal Employees (M.G.L. c. 268A). Upon such request, the LPVEC staff or Board member will be expected to provide a copy of the response from the Commission's legal division to the Executive Director and/or Human Resource Director.

Adoption Date: September 26, 2007

Revised: August 17, 2011

Source: MASC Policy Reference

Legal References: MGL 71:52; 268A:1 et seq.

Section: G
Category: PERSONNEL
File: GBEC

CODE: GIFTS TO AND SOLICITATIONS BY STAFF

GIFTS

Employees are prohibited from accepting any gifts or favors of monetary value from students/consumers, family members, employees, suppliers of services of the LPVEC, or from anyone whose interests may be served by the employee's performance or non-performance of his/her duties.

Acceptance of nominal gifts in keeping with special occasions, such as Christmas, marriage, retirement, or illness, is permitted.

SOLICITATIONS

Solicitation, either written or verbal, by a LPVEC employee to another employee is prohibited, while either the person doing the solicitation or the person being solicited is on working time and LPVEC or School District.

Distribution of printed materials unrelated to an individual's work at the LPVEC is strictly prohibited at all times in working areas of the LPVEC or School District's facilities. Distribution of such materials by employees may be done during non-working times in non-working areas to employees who are not on working time. Printed materials include advertising material, handbills, or other literature.

Solicitation or distribution of materials by a non-employee is strictly prohibited on the LPVEC's or School District's property.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GBEC

CODE: POLICY ON DRUG-FREE WORKPLACE

The Drug-Free Workplace Act of 1988 requires some Federal contractors and all Federal grantees to agree that they will provide drug-free workplaces as a precondition of receiving a contract or grant from a Federal agency.

As a grant recipient, the Collaborative must maintain a drug-free workplace and take comprehensive, programmatic steps to achieve a workplace free of drugs as follows:

1. Publish and give a policy statement to all covered employees informing them that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace and specify the actions that will be taken against employees who violate the policy.
2. Establish a drug-free awareness program to make employees aware of
 - a) the dangers of drug abuse in the workplace;
 - b) the policy of maintaining a drug-free workplace;
 - c) any available drug counseling, rehabilitation, and employee assistance programs; and
 - d) the penalties that may be imposed upon employees for drug abuse violations.
3. Notify employees that as a condition of employment, the employee must:
 - a) abide by the terms of the policy statement; and
 - b) notify the Collaborative's Human Resource Manager, in writing, within five calendar days, if he or she is convicted of a criminal drug violation in the workplace. *The notification requirement does not apply, however, to drug offenses occurring outside of the workplace. Employees are not required to report drug arrests, only convictions.*
4. Notify the Federal grant agency within 10 days after receiving notice that an employee has been convicted of a criminal drug violation in the workplace. *Upon receiving notice of an employee's conviction of a criminal drug statute occurring in the workplace, the Collaborative must provide written notice within ten calendar days to the appropriate person or office in the Federal agency from which he or she receives a contract or grant. The notice must include the convicted employee's position title and grant or contract*

identification number. The Collaborative must notify the appropriate Federal contact regardless of how it is informed of the employee's conviction (i.e., by the employee, a co-worker, the newspaper, etc.)

5. Impose a penalty on—or require satisfactory participation in a drug abuse assistance or rehabilitation program by—any employee who is convicted of a reportable workplace drug conviction.

Upon receiving notice of an employee's conviction of a criminal drug statute occurring in the workplace, the Collaborative must take appropriate action within 30 calendar days. Options include:

- a) *taking appropriate personnel action against employee up to and including termination (consistent with requirements of the Rehabilitation Act of 1973 and the Americans with Disabilities Act), or*
 - b) *requiring the employee's satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state or local health, law enforcement or other appropriate agency. Regardless of which action the Collaborative chooses, the response should be applied consistently and fairly. Although each case should be evaluated individually, it is generally in the Collaborative's best interest, particularly legally, to treat similar offenses with similar consequences.*
6. Make an ongoing, good faith effort to maintain a drug-free workplace by meeting the requirements of the Act.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GBED

CODE: TOBACCO-FREE WORKPLACE

Smoking or the use of tobacco within Collaborative buildings, facilities, or on Collaborative property or vehicles, by any individual, including school personnel, is prohibited.

Staff members who violate this policy will be referred to the Executive Director for disciplinary action.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References: MGL 71:37H

Section: G
Category: PERSONNEL
File: GBGC

CODE: EMPLOYEE ASSISTANCE/WELLNESS PROGRAM

The LPVEC has contracted with an outside vendor to provide **confidential and voluntary** assistance to all employees and their family members who may be faced with dynamic challenges of financial concerns, legal issues, alcohol or drug problems, marital problems, illness of a family member, emotional worries, child care problems, etc.

EAP counselors are available to meet with employees or family members to assess a problem and develop a plan for resolution. The counselors may suggest a referral to an outside resource, such as a therapist, agency, physician, treatment facility, or other professional that would be appropriate to assist in resolving the problem or situation. Where an employee may be in need of information, a referral or suggestion may be made over the telephone. There is no charge for employees or their families to use the services of the EAP.

Employees who need to visit the EAP during regular work hours must use sick, vacation, or personal time. If illness is involved, sick, vacation and/or personal time may be used for treatment or rehabilitation on the same basis that it is granted for other health problems.

The EAP counselors will make every effort to coordinate referral for ongoing treatment with the employee's health insurance coverage as well as his/her ability to pay.

When an employee's job performance or attendance is unsatisfactory or there appears to be signs of other problems during the workday, the supervisor should counsel the employee in consultation with the Director, Human Resources or designee with an end toward resolving the situation. If the employee appears to be unable or unwilling to correct the situation, the employee may accept or refuse participation in the EAP. However, there may be situations where continued employment at LPVEC may be contingent upon the employee calling the EAP for assistance.

Participation in the EAP program does not jeopardize job security or promotional opportunities. However, it does not excuse the employee from following LPVEC policies and procedures or meeting required standards for satisfactory job performance except where specific accommodations are required by law.

REMINDER: All contact between an employee and the EAP is held strictly confidential. In cases where an employee's continued employment is contingent upon calling the EAP, the EAP counselor will only verify whether or not the employee has contacted the EAP and if ongoing treatment is necessary and being followed by the employee.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: G
Category: PERSONNEL
File: GBI

CODE: STAFF PARTICIPATION IN POLITICAL ACTIVITIES

Employees are prohibited from seeking support or contributions for political parties or candidates from employees, consumers or family members during regular working hours. No employee is authorized to use his/her professional association with the LPVEC for the purpose of affecting an election or nomination for office of any candidate for public office.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GBK

CODE: STAFF COMPLAINTS AND GRIEVANCES

The Board encourages Collaborative administration to develop effective means of resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and Board of Directors.

It is the Board's desire that grievance procedures provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and that each employee be assured opportunity for an orderly presentation and review of complaints and concerns.

Channels established will provide for the following:

1. That Collaborative employees may appeal a ruling of a supervisor or other administrator to the Executive Director.
2. That Collaborative employees may appeal a ruling of the Executive Director to the Board, except in those areas where the law has specifically assigned authority to the supervisor and/or the executive director and Board action would be in conflict with that law.
3. That all hearings of complaints before the Chair of the Board be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: G
Category: PERSONNEL
File: GCBD-B

CODE: HEALTH BENEFITS FOR SURVIVORS

The Board of Directors of the Lower Pioneer Valley Educational Collaborative (LPVEC) does hereby adopt the following policy relative to the offering, at the sole discretion of the Board of Directors, of certain health benefits to the surviving spouse/family of LPVEC staff who die while in active Collaborative employment.

1. This policy shall only be considered effective to the extent that the Board of Directors retains full and complete discretion and control to offer, to cease offering, and/or to alter the offering of any and all health benefits to otherwise eligible employees and retirees of the Collaborative. This policy does not create a contractual obligation or an entitlement for any individual.
2. For the purpose of this policy, surviving spouse/family shall be defined as those persons who are covered by the employee's Collaborative health insurance plan at the time of the employee's death.
3. The surviving spouse/family who are eligible to participate in accordance with Paragraph #2 of this policy shall be entitled to continue enrollment in one of the health benefit plans offered by the Collaborative up to the date the individual becomes eligible for Medicare. Upon reaching the age of Medicare eligibility, the surviving spouse/family must enroll in Medicare and will be eligible to enroll in a Medicare Supplement Plan offered by the Collaborative, provided that the Collaborative offers such a Medicare Supplement Plan. In addition to offering a Medicare Supplement Plan, the Collaborative shall endeavor to offer health benefits plan(s) for those spouse/family who are eligible under paragraph #2 of this policy but who are not Medicare eligible. Should the Collaborative be able to offer health benefit plan(s) for non-Medicare-eligible individuals, then interested individuals must submit evidence to the Collaborative which establishes that they are not Medicare eligible.
4. In order to be considered eligible to participate in a plan offered by the Collaborative Medicare, eligible spouses/family must enroll in Medicare Parts A & B during the Medicare enrollment period which is closest in time to the individual's sixty-fifth birthday. If the death of the LPVEC employee occurs after the surviving spouse's sixty-fifth birthday, then such individual must enroll in Medicare Parts A & B as soon as is legally permissible. Only those surviving individuals who enroll in Medicare in accordance with the policy will be entitled to receive any benefit from the Collaborative. Surviving spouse/family who do not enroll in Medicare Parts A & B in accordance with the timeliness specified in this policy shall not be eligible to continue to receive any benefit from the Collaborative under this policy.
5. The Collaborative shall continue to contribute to an eligible survivor's health plan monthly premiums whether the plan is a group plan or a Medicare Supplement Plan. Should the Board of Directors not be able to, or choose not to, offer a group plan which allows surviving spouses/family to participate, then the Collaborative will have no obligation under this policy. Should the Board of Directors choose not to offer a Medicare Supplement Plan, then upon reaching the age of sixty-five any individual who is not eligible for Medicare Part A & B may continue to participate in the Collaborative health insurance plan under the same conditions as those in effect prior to reaching age sixty-five.

6. The surviving spouse of any LPVEC employee who dies while employed by the Collaborative and who participates in Collaborative health insurance will be eligible to continue such participation until such time as he/she remarries. The surviving spouse will be responsible for their share of the cost of the health insurance premium.
7. The Collaborative will continue to contribute to the survivor's health insurance premium at the same rate as that for active eligible employees.
8. Surviving spouses shall be responsible for making full payment of their share of the premium within thirty (30) days from the premium due date to the Collaborative Administrative Office. Should any enrolled survivor fail to make such premium payment, then they shall be considered dropped from the plan.
9. Nothing in this policy guarantees nor should be considered to guarantee health benefits to any surviving spouse. Further, the Board of Directors, by and through the adoption of this policy retains full discretion to alter contribution levels, to cease the offering of any or all health benefit plans or benefits.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GCBD-C

CODE: FLEXIBLE BENEFIT PLAN

The Collaborative flexible benefit plan is a way of providing employees with valuable benefits-where both the Collaborative and its employees save significant amounts on taxes. Employees are given a choice to "redirect" part of their salary. Each employee then uses the "redirected" part of his salary to purchase benefits from a variety of non-taxable benefits offered by the plan.

Allowable benefits are dependent care assistance programs (daycare), uninsured medical, dental and vision care expenses not covered by the typical group medical plan, and group life, medical and disability premiums otherwise paid by the employee. Employees select the benefits which best suit their needs.

The primary benefit for employees is that they are not taxed on the salary they redirect into each benefit account, nor are they taxed when reimbursements are made. Therefore, employees can now pay for expenses with pre-tax dollars.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GCCC-E

CODE: FAMILY AND MEDICAL LEAVE

The LPVEC complies with all requirements of the Family and Medical Leave Act of 1993 (FMLA). The FMLA provides up to 12 weeks of unpaid, job-protected leave for eligible employees to care for the employee's child after birth or placement for adoption or foster care; to care for the employee's spouse, son, daughter or parent who has a serious health condition; or for the employee's own serious health condition that makes the employee unable to perform his or her job. FMLA leave may be taken in blocks of time, intermittently, or on a reduced leave schedule. Additional detailed information regarding the FMLA policy may be obtained from the LPVEC Human Resources Department.

Eligibility: Employees who have been employed for 12 months of service and have worked at least 1250 hours in the previous twelve months are eligible for FMLA leave. Where appropriate, the LPVEC will require physician certifications supporting the need for a LOA are required. Employees requesting LOAs for medical reasons, either their own or of an immediate family member, will be required to return medical certification forms within 15 days in order to be eligible for FMLA leave. "Certification of Health Care Provider" forms can be obtained from the Human Resources Department and can be found on the Department of Labor website at <http://dol.gov/esa/regs/compliance/whd/fmla/wh380.pdf>.

Length of Leave: Eligible employees are entitled to 12 weeks of unpaid, job-protected leave within a 12-month period, measured backwards from the first date of leave.

Use of Vacation Time/Leave with Pay: Employees on FMLA leave are required to exhaust all accrued, unused paid leave simultaneously with their FMLA leave.

Job Protection and Returning to Work after a FMLA LOA: If an employee is on a FMLA LOA due to medical reasons, the attending health care provider must complete a physician's statement prior to the employee returning to work. Eligible employees will be returned to the same or equivalent position with equivalent pay, benefits and other employment terms provided that medical documentation requirements have been met. Employees who fail to return to work after an FMLA LOA will be considered to have voluntarily resigned from their position.

PARENTAL LEAVE

Full-time employees who are not eligible for FMLA leave and who have been employed for three (3) months will be granted a parental LOA of eight (8) weeks for the birth or adoption of a child. This parental leave may not be taken substantially before or after the birth or adoption. Conditions for adoption leave shall conform to federal and state regulations (M.G.L. Chapter 149, Section 105D) as amended by Chapter 318 of the Acts of 1989). Employees on Parental Leave may use, but are not required to use any accrued, unused vacation or Leave with Pay to provide compensation during leave.

If an employee is on a Parental LOA due to pregnancy, she must provide a statement from her attending health care provider certifying that she has been released to return to work, prior to her return to work. Eligible employees will be returned to the same or equivalent position with equivalent pay, benefits and other employment terms provided that medical documentation requirements have been met.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References: P.L. 103-3 "Family and Medical Leave Act of 1993," 29 U.S.C. s2601 et seq.; Department of Labor Regulations, 29 C.F.R. Part 825; Va Code S 22.1-303

Section: G
Category: PERSONNEL
File: GCF

CODE: PROFESSIONAL STAFF HIRING

Through its employment policies, the Collaborative will strive to attract, secure, and hold the highest qualified personnel for all professional positions to ensure the success of the services provided to member districts. The selection process will be based upon a candidate's willingness to devote themselves to the education and welfare of the students attending the Collaborative.

It is the responsibility of the Executive Director, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the Collaborative and to locate suitable candidates. No position may be created without the approval of the Board of Directors. The Collaborative's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for Collaborative students.

It will be the duty of the Executive Director to see that persons considered for employment with the Collaborative meet all certification requirements for the type of position for which they are being considered.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to age, sex, creed, race, color, national origin, disability, sexual orientation, religion, veteran status, or place of residence.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45; 71:55B

Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994 603 CMR 7:00 and 44:00

Section: G
Category: PERSONNEL
File: GCFC

CODE: PROFESSIONAL STAFF CERTIFICATION

All instructional employees are subject to the certification requirements of the Commonwealth of Massachusetts, and each individual is responsible for their own certification.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: G
Category: Personnel
File: GCIA

CODE: PHILOSOPHY OF PROFESSIONAL DEVELOPMENT

The LPVEC's professional development offerings are designed to support the Collaborative's professional development and improvement goals as we serve to meet the needs of our staff, our students, and our member districts.

All staff members are provided with suitable opportunities for the development of increased competencies beyond those they may attain through the performance of their duties and assistance from supervisors.

Our professional development director remains current with changes in state and federal regulations and is committed to sharing those changes with our staff and helping our staff to respond to those changes. In addition, because we are an Educational Service Agency, the director sees it as her role to assist our member districts with remaining current.

The Massachusetts Department of Education requires that a teacher's Individual Professional Development Plan relate directly to the system's goals and objectives. Administrative decisions concerning which professional development activities to support must be based on their compatibility with the Collaborative's goals and objectives.

Each licensed staff member is responsible for enrolling in appropriate professional development to maintain their license. Similarly, it is the individual's responsibility to maintain a log and file of his/her PDP certificates.

Opportunities for professional growth may be provided through such means as the following:

- Planned in-service workshops and programs offered within the school system.
- Release time for attendance at other professional development offerings that offer professional growth that will contribute to their growth as an educator, enhancing the content of their teaching, and/or impacting student learning.
- College or university courses on site
- Distance learning
- Partial reimbursement of tuition for approved courses.

The Director of Curriculum has the authority to approve or deny release time for conferences, workshops, and courses and reimbursements for such expenses provided such activities are within budget allocations for the purposes.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GDF

CODE: SUPPORT STAFF HIRING

All candidates will be considered on the basis of their merits, qualifications, and the needs of the Collaborative. In each instance, the Executive Director and others playing a role in the selection process will seek to employ the best qualified person for the job.

Vacancies in positions will be filled by the Executive Director and/or Director of Human Resources in accordance with the law and with the applicable regulations.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References: M.G.L. 71:55B; 71:59B

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- hiring and firing;
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- job advertisements;
- recruitment;
- testing;
- use of Collaborative facilities;
- training and apprenticeship programs;
- fringe benefits;
- pay, retirement plans, and disability leave; or
- other terms and conditions of employment.

Discriminatory practices under these laws also include:

- harassment on the basis of race, color, religion, sex, national origin, disability, or age;
- retaliation against an individual for filing a charge of discrimination, participating in an investigation, or opposing discriminatory practices;
- employment decisions based on stereotypes or assumptions about the abilities, traits, or performance of individuals of a certain sex, race, age, religion, or ethnic group, or individuals with disabilities; and
- denying employment opportunities to a person because of marriage to, or association with, an individual of a particular race, religion, national origin, or an individual with a disability. Title VII also prohibits discrimination because of participation in schools or places of worship associated with a particular racial, ethnic, or religious group.

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Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to him.

The Executive Director and/or Human Resource Director may request LPVEC staff or members of the Board to present questions or issues pertaining to the Conflict of Interest Law for Municipal Employees (M.G.L. c. 268A). Upon such request, the LPVEC staff or Board member will be expected to provide a copy of the response from the Commission's legal division to the Executive Director and/or Human Resource Director.

Adoption Date: September 26, 2007

Revised: August 17, 2011

Source: MASC Policy Reference

Legal References: MGL 71:52; 268A:1 et seq.

Section: G
Category: PERSONNEL
File: GBEBB

DIGITAL COMMUNICATION AND SOCIAL NETWORKING

The Executive Director and the Collaborative Administrators 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, Snapchat, and similar internet sites or social media networks, or via cell phone, texting, or telephone, or any other electronic means.
 - a. Employees may not “friend” or follow current students on social media.
 - b. All digital communications with students should be through the Collaborative’s computer and telephone system, except emergency situations.
 - c. Under limited circumstances advisors, supervisors, and staff members acting as chaperones on field trips may need to provide students with their personal cell and/or home phone numbers for emergency, safety, security, medical or academic privacy matters, and scheduling and rescheduling purposes, in which case the messages will be copied to the appropriate administrator. Therefore, under these limited circumstances, the providing of private cell phone or home phone numbers to students will not be viewed as a violation of this policy. All other contact and messages by advisors with team members shall be sent to all team members.
 - d. Employees will not give out their private cell phone or home phone numbers without prior approval of the Executive Director or his/her designee, except in the limited circumstances listed above.
 - e. Inappropriate contact via-email or electronic device is prohibited.
2. Inappropriateness of employees posting items with sexual content is prohibited.
3. Inappropriateness of employees posting items exhibiting or advocating the use of drugs and alcohol is prohibited.
4. Examples of inappropriate behavior from other Collaboratives and Districts as behavior to avoid.
5. Monitoring and penalties for improper use of LPVEC 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 designee may periodically conduct internet searches to determine if employees or volunteers have posted inappropriate materials on-line. When inappropriate digital communication with students or use of computers, websites, and social media platforms is discovered, the Collaborative Administrators and the Executive Director will promptly bring that inappropriate use to the attention of the employee and may consider and apply disciplinary action up to and including termination.

Adoption Date: August 21, 2024

Revised:

Source: MASC Policy Reference

Legal References:

***Lower Pioneer Valley Educational Collaborative
Board of Directors Policy***

Section: G
Category: PERSONNEL
File: GBEB

CODE: GIFTS TO AND SOLICITATIONS BY STAFF

GIFTS

Employees are prohibited from accepting any gifts or favors of monetary value from students/consumers, family members, employees, suppliers of services of the LPVEC, or from anyone whose interests may be served by the employee's performance or non-performance of his/her duties.

Acceptance of nominal gifts in keeping with special occasions, such as Christmas, marriage, retirement, or illness, is permitted.

SOLICITATIONS

Solicitation, either written or verbal, by a LPVEC employee to another employee is prohibited during working hours and on LPVEC or School District property.

Distribution of printed materials unrelated to an individual's work at the LPVEC is strictly prohibited at all times in working areas of the LPVEC or School District's facilities. Distribution of such materials by employees may be done during non-working times in non-working areas to employees who are not on working time. Printed materials include advertising material, handbills, or other literature.

Solicitation or distribution of materials by a non-employee is strictly prohibited on the LPVEC's or School District's property.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GBEC

CODE: POLICY ON DRUG-FREE WORKPLACE

The Drug-Free Workplace Act of 1988 requires some Federal contractors and all Federal grantees to agree that they will provide drug-free workplaces as a precondition of receiving a contract or grant from a Federal agency.

As a grant recipient, the Collaborative must maintain a drug-free workplace and take comprehensive, programmatic steps to achieve a workplace free of drugs as follows:

1. Publish and give a policy statement to all covered employees informing them that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace and specify the actions that will be taken against employees who violate the policy.
2. Establish a drug-free awareness program to make employees aware of
 - a) the dangers of drug abuse in the workplace;
 - b) the policy of maintaining a drug-free workplace;
 - c) any available drug counseling, rehabilitation, and employee assistance programs; and
 - d) the penalties that may be imposed upon employees for drug abuse violations.
3. Notify employees that as a condition of employment, the employee must:
 - a) abide by the terms of the policy statement; and
 - b) notify the Collaborative's Human Resource Manager, in writing, within five calendar days, if he or she is convicted of a criminal drug violation in the workplace. *The notification requirement does not apply, however, to drug offenses occurring outside of the workplace. Employees are not required to report drug arrests, only convictions.*
4. Notify the Federal grant agency within 10 days after receiving notice that an employee has been convicted of a criminal drug violation in the workplace. *Upon receiving notice of an employee's conviction of a criminal drug statute occurring in the workplace, the Collaborative must provide written notice within ten calendar days to the appropriate person or office in the Federal agency from which he or she receives a contract or grant. The notice must include the convicted employee's position title and grant or contract*

identification number. The Collaborative must notify the appropriate Federal contact regardless of how it is informed of the employee's conviction (i.e., by the employee, a co-worker, the newspaper, etc.)

5. Impose a penalty on—or require satisfactory participation in a drug abuse assistance or rehabilitation program by—any employee who is convicted of a reportable workplace drug conviction.

Upon receiving notice of an employee's conviction of a criminal drug statute occurring in the workplace, the Collaborative must take appropriate action within 30 calendar days. Options include:

- a) *taking appropriate personnel action against employee up to and including termination (consistent with requirements of the Rehabilitation Act of 1973 and the Americans with Disabilities Act), or*
 - b) *requiring the employee's satisfactory participation in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state or local health, law enforcement or other appropriate agency. Regardless of which action the Collaborative chooses, the response should be applied consistently and fairly. Although each case should be evaluated individually, it is generally in the Collaborative's best interest, particularly legally, to treat similar offenses with similar consequences.*
6. Make an ongoing, good faith effort to maintain a drug-free workplace by meeting the requirements of the Act.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GBED

CODE: TOBACCO-FREE WORKPLACE

Smoking or the use of tobacco within Collaborative buildings, facilities, or on Collaborative property or vehicles, by any individual, including school personnel, is prohibited.

Staff members who violate this policy will be referred to the Executive Director for disciplinary action.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References: MGL 71:37H

Section: G
Category: PERSONNEL
File: GBGC

CODE: EMPLOYEE ASSISTANCE/WELLNESS PROGRAM

The LPVEC has contracted with an outside vendor to provide **confidential and voluntary** assistance to all employees and their family members who may be faced with dynamic challenges of financial concerns, legal issues, alcohol or drug problems, marital problems, illness of a family member, emotional worries, child care problems, etc.

EAP counselors are available to meet with employees or family members to assess a problem and develop a plan for resolution. The counselors may suggest a referral to an outside resource, such as a therapist, agency, physician, treatment facility, or other professional that would be appropriate to assist in resolving the problem or situation. Where an employee may be in need of information, a referral or suggestion may be made over the telephone. There is no charge for employees or their families to use the services of the EAP.

Employees who need to visit the EAP during regular work hours must use sick, vacation, or personal time. If illness is involved, sick, vacation and/or personal time may be used for treatment or rehabilitation on the same basis that it is granted for other health problems.

The EAP counselors will make every effort to coordinate referral for ongoing treatment with the employee's health insurance coverage as well as his/her ability to pay.

When an employee's job performance or attendance is unsatisfactory or there appears to be signs of other problems during the workday, the supervisor should counsel the employee in consultation with the Director, Human Resources or designee with an end toward resolving the situation. If the employee appears to be unable or unwilling to correct the situation, the employee may accept or refuse participation in the EAP. However, there may be situations where continued employment at LPVEC may be contingent upon the employee calling the EAP for assistance.

Participation in the EAP program does not jeopardize job security or promotional opportunities. However, it does not excuse the employee from following LPVEC policies and procedures or meeting required standards for satisfactory job performance except where specific accommodations are required by law.

REMINDER: All contact between an employee and the EAP is held strictly confidential. In cases where an employee's continued employment is contingent upon calling the EAP, the EAP counselor will only verify whether or not the employee has contacted the EAP and if ongoing treatment is necessary and being followed by the employee.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: G
Category: PERSONNEL
File: GBI

CODE: STAFF PARTICIPATION IN POLITICAL ACTIVITIES

Employees are prohibited from seeking support or contributions for political parties or candidates from employees, consumers or family members during regular working hours. No employee is authorized to use his/her professional association with the LPVEC for the purpose of affecting an election or nomination for office of any candidate for public office.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GBK

CODE: STAFF COMPLAINTS AND GRIEVANCES

The Board encourages Collaborative administration to develop effective means of resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and Board of Directors.

It is the Board's desire that grievance procedures provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and that each employee be assured opportunity for an orderly presentation and review of complaints and concerns.

Channels established will provide for the following:

1. That Collaborative employees may appeal a ruling of a supervisor or other administrator to the Executive Director.
2. That Collaborative employees may appeal a ruling of the Executive Director to the Board, except in those areas where the law has specifically assigned authority to the supervisor and/or the executive director and Board action would be in conflict with that law.
3. That all hearings of complaints before the Chair of the Board be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: G
Category: PERSONNEL
File: GCBD-A

CODE: HEALTH BENEFITS FOR RETIREES

The Board of Directors of the Lower Pioneer Valley Educational Collaborative (LPVEC) hereby adopt the following policy relative to the offering, at the sole discretion of the Board of Directors, of certain health benefits to otherwise eligible retirees of the LPVEC.

1. This policy shall only be considered effective to the extent that the Board of Directors retains full and complete discretion and control to offer, to cease offering, and/or to alter the offering of any and all health benefits to otherwise eligible retirees of the LPVEC. This policy does not create a contractual obligation or an entitlement for any individual.
2. For the purposes of this policy, retirees shall be defined as individuals who both are eligible for and in fact receive a retirement allowance in accordance with G.L. C. 32 and who retire from service with the LPVEC with a minimum of ten (10) years of full time service with the LPVEC and/or any of its member school districts. Further, retirees must have participated in Collaborative offered health plan for a minimum of one year immediately prior to retirement in order to be eligible to participate in Collaborative offered health plan as a retiree.
3. Retirees who are eligible to participate in accordance with paragraph #2 of this policy shall be enrolled in one of the health benefit plans offered by the Collaborative up to the date the individual becomes eligible for Medicare. Upon reaching the age of Medicare eligibility, the retiree must enroll in Medicare and will be eligible to enroll in a Medicare Supplement Plan offered by the Collaborative, provided that the Collaborative offers a Medicare Supplement Plan. In addition to offering a Medicare Supplement Plan, the Collaborative shall endeavor to offer health benefit plan(s) for those retirees who are eligible under paragraph #2 of this policy but who are not Medicare-eligible. Should the Collaborative be able to offer health benefit plan(s) for non-Medicare-eligible retirees, the interested retirees must submit evidence to the Collaborative which establishes, to the satisfaction of the Collaborative, that they are not Medicare-eligible.
4. In order to be considered eligible to participate in a plan offered by the Collaborative, Medicare-eligible retirees must enroll in Medicare Parts A & B during the Medicare enrollment period which is closest in time to the retiree's sixty-fifth birthday. If an employee remains actively at work for the Collaborative past age 65, then such an employee must enroll in Medicare Parts A & B as soon as is legally permissible. Only those retirees who enroll in Medicare in accordance with the policy may be entitled to receive any benefit from the Collaborative. Retirees who are not enrolled in Medicare Part A and Part B in accordance with the timeliness specified in this policy shall not be eligible to continue to receive any benefit from the Collaborative.
5. The Collaborative shall contribute an amount equal to fifty percent (50%) of an individual plan's monthly contribution rate for eligible retirees who enroll in a plan offered by the Collaborative whether or not the plan is a group plan or a Medicare Supplement Plan. Should the Board of Directors not be able to, or choose not to, offer a group plan which allows retirees to participate, then the Collaborative will have no obligation under this policy. Should the Board of Directors choose to not offer a Medicare Supplement Plan, then upon reaching the age for Medicare eligibility, retirees shall not be eligible to continue on any Collaborative offered plan.
6. If a retiree is eligible for participation under this policy, then the retiree's spouse shall also be eligible to participate. This right to participate shall survive the death of the Collaborative retiree, and the surviving spouse shall be entitled to the fifty percent (50%) Collaborative contribution rate until such time as he/she shall remarry, at which time the health insurance benefit shall cease.

7. Retirees shall be responsible for making full payment of their share of the premium within thirty (30) days from the premium due date to the Collaborative Administrative Office. Should any enrolled retiree fail to make such premium payment, they shall be considered dropped from the plan.
8. Nothing in this policy guarantees nor should be considered to guarantee health benefits to any retiree. Further, the Board of Directors, by and through the adoption of this policy, retains full discretion to alter contribution levels or to cease the offering of any or all health benefit plans or benefits.

Adoption Date: September 26, 2007

Revised: January 18, 2012

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GCBD-A

CODE: HEALTH BENEFITS FOR RETIREES

The Board of Directors of the Lower Pioneer Valley Educational Collaborative (LPVEC) hereby adopt the following policy relative to the offering, at the sole discretion of the Board of Directors, of certain health benefits to otherwise eligible retirees of the LPVEC.

1. This policy shall only be considered effective to the extent that the Board of Directors retains full and complete discretion and control to offer, to cease offering, and/or to alter the offering of any and all health benefits to otherwise eligible retirees of the LPVEC. This policy does not create a contractual obligation or an entitlement for any individual.
2. For the purposes of this policy, retirees shall be defined as individuals who both are eligible for and in fact receive a retirement allowance in accordance with G.L. C. 32 and who retire from service with the LPVEC with a minimum of ten (10) years of full time service with the LPVEC and/or any of its member school districts. Further, retirees must have participated in Collaborative offered health plan for a minimum of one year immediately prior to retirement in order to be eligible to participate in Collaborative offered health plan as a retiree.
3. Retirees who are eligible to participate in accordance with paragraph #2 of this policy shall be enrolled in one of the health benefit plans offered by the Collaborative up to the date the individual becomes eligible for Medicare. Upon reaching the age of Medicare eligibility, the retiree must enroll in Medicare and will be eligible to enroll in a Medicare Supplement Plan offered by the Collaborative, provided that the Collaborative offers a Medicare Supplement Plan. In addition to offering a Medicare Supplement Plan, the Collaborative shall endeavor to offer health benefit plan(s) for those retirees who are eligible under paragraph #2 of this policy but who are not Medicare-eligible. Should the Collaborative be able to offer health benefit plan(s) for non-Medicare-eligible retirees, the interested retirees must submit evidence to the Collaborative which establishes, to the satisfaction of the Collaborative, that they are not Medicare-eligible.
4. In order to be considered eligible to participate in a plan offered by the Collaborative, Medicare-eligible retirees must enroll in Medicare Parts A & B during the Medicare enrollment period which is closest in time to the retiree's sixty-fifth birthday. If an employee remains actively at work for the Collaborative past age 65, then such an employee must enroll in Medicare Parts A & B as soon as is legally permissible. Only those retirees who enroll in Medicare in accordance with the policy may be entitled to receive any benefit from the Collaborative. Retirees who are not enrolled in Medicare Part A and Part B in accordance with the timeliness specified in this policy shall not be eligible to continue to receive any benefit from the Collaborative.
5. The Collaborative shall contribute an amount equal to seventy percent (70%) of an individual plan's monthly contribution rate for eligible retirees who enroll in a plan offered by the Collaborative whether or not the plan is a group plan or a Medicare Supplement Plan. Should the Board of Directors not be able to, or choose not to, offer a group plan which allows retirees to participate, then the Collaborative will have no obligation under this policy. Should the Board of Directors choose to not offer a Medicare Supplement Plan, then upon reaching the age for Medicare eligibility, retirees shall not be eligible to continue on any Collaborative offered plan.
6. If a retiree is eligible for participation under this policy, then the retiree's spouse shall also be eligible to participate. This right to participate shall survive the death of the Collaborative retiree, and the surviving spouse shall be entitled to the seventy percent (70%) Collaborative contribution rate until such time as he/she shall remarry, at which time the health insurance benefit shall cease.

7. Retirees shall be responsible for making full payment of their share of the premium within thirty (30) days from the premium due date to the Collaborative Administrative Office. Should any enrolled retiree fail to make such premium payment, they shall be considered dropped from the plan.
8. Nothing in this policy guarantees nor should be considered to guarantee health benefits to any retiree. Further, the Board of Directors, by and through the adoption of this policy, retains full discretion to alter contribution levels or to cease the offering of any or all health benefit plans or benefits.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GCBD-B

CODE: HEALTH BENEFITS FOR SURVIVORS

The Board of Directors of the Lower Pioneer Valley Educational Collaborative (LPVEC) does hereby adopt the following policy relative to the offering, at the sole discretion of the Board of Directors, of certain health benefits to the surviving spouse/family of LPVEC staff who die while in active Collaborative employment.

1. This policy shall only be considered effective to the extent that the Board of Directors retains full and complete discretion and control to offer, to cease offering, and/or to alter the offering of any and all health benefits to otherwise eligible employees and retirees of the Collaborative. This policy does not create a contractual obligation or an entitlement for any individual.
2. For the purpose of this policy, surviving spouse/family shall be defined as those persons who are covered by the employee's Collaborative health insurance plan at the time of the employee's death.
3. The surviving spouse/family who are eligible to participate in accordance with Paragraph #2 of this policy shall be entitled to continue enrollment in one of the health benefit plans offered by the Collaborative up to the date the individual becomes eligible for Medicare. Upon reaching the age of Medicare eligibility, the surviving spouse/family must enroll in Medicare and will be eligible to enroll in a Medicare Supplement Plan offered by the Collaborative, provided that the Collaborative offers such a Medicare Supplement Plan. In addition to offering a Medicare Supplement Plan, the Collaborative shall endeavor to offer health benefits plan(s) for those spouse/family who are eligible under paragraph #2 of this policy but who are not Medicare eligible. Should the Collaborative be able to offer health benefit plan(s) for non-Medicare-eligible individuals, then interested individuals must submit evidence to the Collaborative which establishes that they are not Medicare eligible.
4. In order to be considered eligible to participate in a plan offered by the Collaborative Medicare, eligible spouses/family must enroll in Medicare Parts A & B during the Medicare enrollment period which is closest in time to the individual's sixty-fifth birthday. If the death of the LPVEC employee occurs after the surviving spouse's sixty-fifth birthday, then such individual must enroll in Medicare Parts A & B as soon as is legally permissible. Only those surviving individuals who enroll in Medicare in accordance with the policy will be entitled to receive any benefit from the Collaborative. Surviving spouse/family who do not enroll in Medicare Parts A & B in accordance with the timeliness specified in this policy shall not be eligible to continue to receive any benefit from the Collaborative under this policy.
5. The Collaborative shall continue to contribute to an eligible survivor's health plan monthly premiums whether the plan is a group plan or a Medicare Supplement Plan. Should the Board of Directors not be able to, or choose not to, offer a group plan which allows surviving spouses/family to participate, then the Collaborative will have no obligation under this policy. Should the Board of Directors choose not to offer a Medicare Supplement Plan, then upon reaching the age of sixty-five any individual who is not eligible for Medicare Part A & B may continue to participate in the Collaborative health insurance plan under the same conditions as those in effect prior to reaching age sixty-five.

6. The surviving spouse of any LPVEC employee who dies while employed by the Collaborative and who participates in Collaborative health insurance will be eligible to continue such participation until such time as he/she remarries. The surviving spouse will be responsible for their share of the cost of the health insurance premium.
7. The Collaborative will continue to contribute to the survivor's health insurance premium at the same rate as that for active eligible employees.
8. Surviving spouses shall be responsible for making full payment of their share of the premium within thirty (30) days from the premium due date to the Collaborative Administrative Office. Should any enrolled survivor fail to make such premium payment, then they shall be considered dropped from the plan.
9. Nothing in this policy guarantees nor should be considered to guarantee health benefits to any surviving spouse. Further, the Board of Directors, by and through the adoption of this policy retains full discretion to alter contribution levels, to cease the offering of any or all health benefit plans or benefits.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GCBD-C

CODE: FLEXIBLE BENEFIT PLAN

The Collaborative flexible benefit plan is a way of providing employees with valuable benefits-where both the Collaborative and its employees save significant amounts on taxes. Employees are given a choice to "redirect" part of their salary. Each employee then uses the "redirected" part of his salary to purchase benefits from a variety of non-taxable benefits offered by the plan.

Allowable benefits are dependent care assistance programs (daycare), uninsured medical, dental and vision care expenses not covered by the typical group medical plan, and group life, medical and disability premiums otherwise paid by the employee. Employees select the benefits which best suit their needs.

The primary benefit for employees is that they are not taxed on the salary they redirect into each benefit account, nor are they taxed when reimbursements are made. Therefore, employees can now pay for expenses with pre-tax dollars.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GCC
GCCAB
GCCAC
GCCAD

CODE: PROFESSIONAL STAFF LEAVES AND ABSENCES

A Leave of Absence (LOA) is defined as a paid or unpaid approved absence from work for a specified period of time for medical, parental, military or personal reasons. **(NOTE: LOA categories are explained below)**. If an employee finds that he or she must be out of work for more than three days, he or she should contact the Human Resources Department to determine if a LOA may be necessary.

While on LOA, an employee must contact the Human Resources Department at least every 30 days; failure to do so may result in voluntary termination. Failure to return to work upon the expiration of LOA or refusing an offer of reinstatement for which the employee is qualified will also result in voluntary termination.

An employee may request an unpaid LOA for up to one school year. The approval of this request will be at the sole discretion of the Board of Directors. At the very minimum, the employee must show evidence of his/her commitment to return to work at the conclusion of the leave. Benefits will not be earned during the leave. All benefits earned prior to the leave will remain in tact during the leave with resumption of earnings upon return to work. Health insurance coverage will not be allowed during an unpaid Board-approved leave. The employee will be offered COBRA coverage. While on Board-approved LOA, the employee may not be employed elsewhere. Failure to comply may result in the revocation of the LOA and termination. Military leave requests covered by the Uniformed Services Employment and Reemployment Rights Act (USERRA) are not subject to the restrictions of this policy.

No leave of absence, with or without pay, will be granted to accommodate an employee's vacation plans as adequate time for that purpose is afforded during school vacation breaks throughout the school year.

Required Documentation

All requests for a LOA must be made on an *Employee Request for Leave* form and submitted to the immediate supervisor. This form can be obtained from LPVEC Central Office. An employee must provide 30 days' advance notice when the need for the leave or absence is foreseeable, for example, if medical treatments or other events are planned or known in advance. If the LOA is not foreseeable, the employee must provide notice to his or her immediate supervisor as soon as practicable.

Approval

The immediate supervisor and the Director of Human Resources will review the request. The employee will be notified as to whether the request was approved and if the leave is being designated as FMLA leave. A LOA will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer. Employees who begin employment elsewhere while on LOA, except military reserve duty, will be considered to have quit voluntarily.

Job Benefits

The LPVEC will pay its portion of the cost of the employee's benefits including health insurance benefits while an employee is on an approved LOA up to the maximum length of leave; the employee must continue to pay his or her portion of the benefits. After the maximum leave time allowed, employees will be offered COBRA coverage.

Benefits payments may be made by payroll deductions (when applicable) or by submitting a check monthly to the Human Resources Department, unless other arrangements have been made. If the employee fails to pay his or her portion of the benefits for more than 30 days, upon 15 days written notice, the employer's obligation to continue healthcare coverage ceases. If the employee's coverage(s) is terminated, the employee will be offered COBRA to continue benefits.

No vacation time or Leave with Pay will accrue while an employee is on a LOA. Except as otherwise provided by law, time spent on a LOA, except for military reserve duty, will not be counted as time employed in determining an employee's eligibility for benefits that accrue on the basis of length of employment.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GCCC-E

CODE: FAMILY AND MEDICAL LEAVE

The LPVEC complies with all requirements of the Family and Medical Leave Act of 1993 (FMLA). The FMLA provides up to 12 weeks of unpaid, job-protected leave for eligible employees to care for the employee's child after birth or placement for adoption or foster care; to care for the employee's spouse, son, daughter or parent who has a serious health condition; or for the employee's own serious health condition that makes the employee unable to perform his or her job. FMLA leave may be taken in blocks of time, intermittently, or on a reduced leave schedule. Additional detailed information regarding the FMLA policy may be obtained from the LPVEC Human Resources Department.

Eligibility: Employees who have been employed for 12 months of service and have worked at least 1250 hours in the previous twelve months are eligible for FMLA leave. Where appropriate, the LPVEC will require physician certifications supporting the need for a LOA are required. Employees requesting LOAs for medical reasons, either their own or of an immediate family member, will be required to return medical certification forms within 15 days in order to be eligible for FMLA leave. "Certification of Health Care Provider" forms can be obtained from the Human Resources Department and can be found on the Department of Labor website at <http://dol.gov/esa/regs/compliance/whd/fmla/wh380.pdf>.

Length of Leave: Eligible employees are entitled to 12 weeks of unpaid, job-protected leave within a 12-month period, measured backwards from the first date of leave.

Use of Vacation Time/Leave with Pay: Employees on FMLA leave are required to exhaust all accrued, unused paid leave simultaneously with their FMLA leave.

Job Protection and Returning to Work after a FMLA LOA: If an employee is on a FMLA LOA due to medical reasons, the attending health care provider must complete a physician's statement prior to the employee returning to work. Eligible employees will be returned to the same or equivalent position with equivalent pay, benefits and other employment terms provided that medical documentation requirements have been met. Employees who fail to return to work after an FMLA LOA will be considered to have voluntarily resigned from their position.

PARENTAL LEAVE

Full-time employees who are not eligible for FMLA leave and who have been employed for three (3) months will be granted a parental LOA of eight (8) weeks for the birth or adoption of a child. This parental leave may not be taken substantially before or after the birth or adoption. Conditions for adoption leave shall conform to federal and state regulations (M.G.L. Chapter 149, Section 105D) as amended by Chapter 318 of the Acts of 1989). Employees on Parental Leave may use, but are not required to use any accrued, unused vacation or Leave with Pay to provide compensation during leave.

If an employee is on a Parental LOA due to pregnancy, she must provide a statement from her attending health care provider certifying that she has been released to return to work, prior to her return to work. Eligible employees will be returned to the same or equivalent position with equivalent pay, benefits and other employment terms provided that medical documentation requirements have been met.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References: P.L. 103-3 "Family and Medical Leave Act of 1993," 29 U.S.C. s2601 et seq.; Department of Labor Regulations, 29 C.P.R. Part 825; Va Code S 22.1-303

Section: G
Category: PERSONNEL
File: GCF

CODE: PROFESSIONAL STAFF HIRING

Through its employment policies, the Collaborative will strive to attract, secure, and hold the highest qualified personnel for all professional positions to ensure the success of the services provided to member districts. The selection process will be based upon a candidate's willingness to devote themselves to the education and welfare of the students attending the Collaborative.

It is the responsibility of the Executive Director, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the Collaborative and to locate suitable candidates. No position may be created without the approval of the Board of Directors. The Collaborative's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for Collaborative students.

It will be the duty of the Executive Director to see that persons considered for employment with the Collaborative meet all certification requirements for the type of position for which they are being considered.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to age, sex, creed, race, color, national origin, disability, sexual orientation, religion, veteran status, or place of residence.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45; 71:55B

Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994 603 CMR 7:00 and 44:00

Section: G
Category: PERSONNEL
File: GCFC

CODE: PROFESSIONAL STAFF CERTIFICATION

All instructional employees are subject to the certification requirements of the Commonwealth of Massachusetts, and each individual is responsible for their own certification.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: G
Category: Personnel
File: GCIA

CODE: PHILOSOPHY OF PROFESSIONAL DEVELOPMENT

The LPVEC's professional development offerings are designed to support the Collaborative's professional development and improvement goals as we serve to meet the needs of our staff, our students, and our member districts.

All staff members are provided with suitable opportunities for the development of increased competencies beyond those they may attain through the performance of their duties and assistance from supervisors.

Our professional development director remains current with changes in state and federal regulations and is committed to sharing those changes with our staff and helping our staff to respond to those changes. In addition, because we are an Educational Service Agency, the director sees it as her role to assist our member districts with remaining current.

The Massachusetts Department of Education requires that a teacher's Individual Professional Development Plan relate directly to the system's goals and objectives. Administrative decisions concerning which professional development activities to support must be based on their compatibility with the Collaborative's goals and objectives.

Each licensed staff member is responsible for enrolling in appropriate professional development to maintain their license. Similarly, it is the individual's responsibility to maintain a log and file of his/her PDP certificates.

Opportunities for professional growth may be provided through such means as the following:

- § Planned in-service workshops and programs offered within the school system.
- § Release time for attendance at other professional development offerings that offer professional growth that will contribute to their growth as an educator, enhancing the content of their teaching, and/or impacting student learning.
- § College or university courses on site
- § Distance learning
- § Partial reimbursement of tuition for approved courses.

The Director of Curriculum has the authority to approve or deny release time for conferences, workshops, and courses and reimbursements for such expenses provided such activities are within budget allocations for the purposes.

Adoption Date: September 26, 2007

Revised:

Source:

Legal References:

Section: G
Category: PERSONNEL
File: GDF

CODE: SUPPORT STAFF HIRING

All candidates will be considered on the basis of their merits, qualifications, and the needs of the Collaborative. In each instance, the Executive Director and others playing a role in the selection process will seek to employ the best qualified person for the job.

Vacancies in positions will be filled by the Executive Director and/or Director of Human Resources in accordance with the law and with the applicable regulations.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References: M.G.L. 71:55B; 71:59B