

# **NEWBURYPORT SCHOOL COMMITTEE**

## **NEWBURYPORT, MASSACHUSETTS**

# **School Committee Business Meeting**

**Monday, October 2, 2023**

**6:30PM**

SC Packet Checklist: SC Business Meeting Agenda October 2, 2023  
SC Business Meeting Agenda Notes October 2, 2023  
SC Warrant October 2, 2023  
SC Business Meeting Minutes September 18, 2023  
NESDEC Executive Search Overview  
Candidates for Whittier Regional School Committee Representative  
Proposed SC Fundraising Advisory Committee  
Proposed Policy Changes:  
    Section D – Fiscal Management  
    Section E – Support Services  
    Section F – Facilities Development  
    Section G – Personnel  
    Section H – Negotiations

**Newburyport Public Schools**  
**Newburyport, MA**  
**School Committee Business Meeting**  
**Monday, October 2, 2023**

**6:30 PM, Sr./Community Center, 331 High Street, Newburyport, MA 01950**

*The Mission of the Newburyport Public Schools, the port where tradition and innovation converge, is to ensure each student achieves intellectual and personal excellence and is equipped for life experiences through a system distinguished by students, staff, and community who: - practice kindness and perseverance - celebrate each unique individual - value creativity; experiential, rigorous educational opportunities; scholarly pursuits; and life-long learning - provide the nurturing environments for emotional, social, and physical growth - understand and embrace their role as global citizens.*

**Please note:** The listing of matters are those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. The meeting will be televised locally live on Comcast Channel 9 & streamed via <https://ncmhub.org/share/channel-9/>.

**Business Meeting Agenda:**

1. Call to Order

2. Public Comment

3. Staff Recognitions

\*\*\* *short recess (2-3 minutes)* \*\*\*

4. \*Consent Agenda (Warrants and 9/18/23 minutes) – *possible Vote*

5. Student Representative Report

6. NESDEC Executive Search Overview – Director of Student Services position

7. \*Appoint Newburyport Rep. for Whittier Regional VOTEC School Committee – *possible Vote*

8. Special Education Program Overview

9. \*Proposed Fundraising Advisory Committee – *possible Vote*

10. Subcommittee Updates

a. Finance Subcommittee – Brian Callahan

b. Policy Subcommittee – Juliet Walker

➤ Proposed changes to Policy Sections D, E, F, G, and H based on the Policy Subcommittee Review with MASC. – *2nd read – possible Vote*

11. Superintendent's Report: *School-based Budget workshop Dates, NEASC Visit, Auditorium Upgrades, NHS & Molin Open Houses, CAL Leadership Summit*

12. New Business

**\*Executive Session** – vote

*For the purpose of discussing possible litigation and legal matters, and not to reconvene in Open Session.*

\*Possible Vote

**Adjournment**

\*\*The School Committee reserves the right to call **executive session**, as provided under Chapter 30A, Section 21(a)(2), of the General Laws to discuss strategy sessions in preparation for negotiations, collective bargaining and/or potential litigation.

**Newburyport School Committee  
Meeting Agenda Notes**

**Monday, October 2, 2023  
6:30PM @ Sr./Community Center, 331 High Street, Newburyport, MA 01950**

**AGENDA NOTES**

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**Business Meeting Agenda:**

3. Staff Recognitions:

- *Three Special Education Team Coordinators will be recognized in appreciation of their leadership, hard work and outstanding efforts to ensure the success of our students!  
Jeanna Guardino (High School), Elise Comeau (Nock/Molin) and Erin Gibson (Bresnahan)*

\*\*\* *short recess (2-3 minutes)* \*\*\*

4. \*Consent Agenda (Warrants and Minutes 9/18/2023) – possible Vote

5. Student Representative Report: *NHS students Elizabeth Homer & Theo Roberts will provide the report.*

6. NESDEC Executive Search Overview: *Newburyport Public Schools has contracted with the New England School Development Council (NESDEC) for the Director of Student Services search. Dr. David DeRuosi, NESDEC Executive Director, will present an overview of the executive search process.*

7. \*Appoint Newburyport Rep. for Whittier Regional VOTEC School Committee – possible Vote  
*Newburyport's representative position for Whittier Regional VOTEC School Committee is vacant due to the recent resignation of Joseph Haberland, whose term expires on March 31, 2024. Two Newburyport residents have submitted letters of interest and will address the School Committee: Joseph Spaulding and Donna Holaday.*

8. Special Education Program Overview: *Debra O'Connor, Director of Student Services, will present an overview of Special Education programing with a focus on language-based programming, inclusion and the co-teaching model.*

9. \*Proposed Fundraising Advisory Committee – possible Vote  
*The School Committee will discuss and review the purpose and scope of a proposed Fundraising Advisory Committee. (reference: Policy BDF – Advisory Committees to the School Committee)*

10. Subcommittee Updates

a. Finance Subcommittee – Brian Callahan

b. Policy Subcommittee – Juliet Walker

- \*Proposed changes to Policy Sections D, E, F, G, and H based on the Policy Subcommittee Review with MASC. – 2nd read – possible Vote

11. Superintendent's Report: *School-based Budget workshop Dates, NEASC Visit, Auditorium Upgrades, NHS & Molin Open Houses, and CAL Leadership Summit*

12. New Business

**\*Executive Session – vote**

*For the purpose of discussing possible litigation and legal matters, and not to reconvene in Open Session.*

**FYI: Upcoming Dates:**

- ✓ **Bresnahan Open House:** Thursday, October 5 (Gr Pk-K-1 @ 6PM and Gr 2-3 @ 7PM)
- ✓ **Early Release Day:** Friday, October 6
- ✓ **NHS School Council:** Tuesday, October 10 @ 5:00PM
- ✓ **SEPAAC meeting:** Wednesday, October 11 @ 6PM
- ✓ **Nock Open House:** Thursday, October 12 @ 6:00PM, Nock Library
- ✓ **School Committee Business meeting:** Tuesday, October 17 @ 6:30pm

\*Possible Vote

**School**  
**Committee**  
**Warrant**

**WARRANT 8099 FY24**

**WARRANT 8100 FY23**

**October 02, 2023**

<b>Warrant 8099</b>	<b>\$ 216,659.60</b>
<b>Warrant 8100</b>	<b>\$ 75.00</b>

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<b>TOTAL of Warrant</b>	<b>\$ 216,734.60</b>
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**NEWBURYPORT SCHOOL COMMITTEE BUSINESS MEETING**  
**Newburyport High School, 241 High Street, Newburyport, MA 01950**  
**Monday, September 18, 2023**

**Present:** Mayor Sean Reardon, Sarah Hall, Juliet Walker, Bruce Menin, Brian Callahan, Steve Cole and Breanna Higgins

**CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE:**

Mayor Sean Reardon called the Business meeting of the Newburyport School Committee to order at 6:32 PM. Roll call found all members present. All those present stood for the Pledge of Allegiance. At this point in meeting, Vice Chair Sarah Hall took over.

**PUBLIC COMMENT:** none

**STUDENT RECOGNITION:**

Nolan Smith is the 2023-2024 recipient of the Certificate of Academic Excellence award, which is designed by the Massachusetts Association of School Superintendent's (MASS) to award academic excellence. This award is to be given each year to a high school senior who has distinguished themselves in the pursuit of excellence during their high school career.

**STAFF RECOGNITION:**

Aileen Maconi, NHS Art Teacher, was recognized for her drive and persistence in developing a Global Citizenship Program and Certificate Pathway for the High School.

**CONSENT AGENDA:**

**Warrants:**

**Motion:**

On a motion by Brian Callahan and seconded by Mayor Sean Reardon it was

**VOTED:** to approve, receive and forward to the City Auditor for payment the following Warrant:

Warrant 8097	\$504,206.20
Warrant 8098	\$ 17,817.05
A-Warrant	<u>\$ 8,941.14</u>
	\$530,964.39 Total

**Motion Passed**

**Minutes:**

**Motion:**

On a motion by Bruce Menin and seconded by Steve Cole it was

**VOTED:** to adopt the minutes of the September 5, 2023 School Committee Business meeting, with noted changes (to modify the Public Comments Section to include the text on the new Public Comment Sign-in form.)

**Motion Passed**

### **Student Report:**

Newburyport high school students Elizabeth Homer and Theo Roberts were introduced as the new student representatives. Their report included news from the Nock and High School, as well as upcoming events, developing a portfolio system at NHS, and special student shout outs. (attached)

### **SIX HIGH SCHOOL OVERNIGHT FIELD TRIPS 2024 & 2025**

- Andy Wulf described the Global Citizenship program, as well as six proposed overnight field trips. Two high school students shared their experiences on the recent overnight trip to a leadership summit in Germany.
- Trips: Annual New York City Trip (April 2024), England/Scotland (February 2025), Central Europe/Holocaust (April 2025), Marine Conservation/Dominican Republic (February 2025), Artists of France/Spain (April 2025), and Cuisine & Culture in Northern Italy (Summer 2025).
- Breanna Higgins suggested a review of past fundraising to see if these efforts are reaching the high needs and/or low income students. Also review past trip enrollment data to learn if there are any trends with who is or is not taking advantage of these trips. Juliet Walker would like this participation information reported back to the School Committee.
- Juliet Walker would like to know how outreach is done for overnight trips. She would also like to obtain confirmation that all students on these trips are given a reprieve if a practice or an activity is missed, including that a communication about this goes out to all the staff (teachers, coaches etc).

### **Motion:**

On a motion by Juliet Walker and seconded by Bruce Menin it was

**VOTED:** to approve all the trips included in the packet as proposed, referencing Policy JJH - Student Overnight or Late Night Travel.

### **Motion Passed**

### **2022-2023 iREADY INTERNAL ASSESSMENT DATA DISCUSSION:**

- A brief video was shown that summarizes what iReady software does and how it works.
- Diagnostic report data for 2022-2023 literacy (grades 4-8) and math (grades K-8) was reviewed by Superintendent Sean Gallagher and Assistant Superintendent LisaMarie Ippolito. The presentation included a summary of reporting, training for staff and parents, 2023-2024 goals and student supports.
- IREADY Math presentation will be held for K-5 families on Tuesday, October 24 from 6-7PM in the Bresnahan library.
- IREADY Math training workshops for staff will be held on 9/15, 12/8, 2/9 and 5/10.
- LisaMarie Ippolito will speak with Nick Markos regarding possible criteria needed for taking 8<sup>th</sup> grade Algebra 1.
- Breanna Higgins would like to learn more about who is meeting goals, who is getting interventions, are they being challenged, and how the new curriculum is going to be assessed.

## **SCHOOL COMMITTEE SMART GOALS 2023-2024 - 2<sup>ND</sup> READ**

- The School Committee SMART Goals for 2023-2024 were reviewed.
- The approved list will be added to the School Committee page of the district website.

### **Motion:**

On a motion by Sarah Hall and seconded by Bruce Menin it was

**VOTED:** to approve the School Committee SMART Goals for 2023-2024.

### **Motion Passed**

## **SUBCOMMITTEE UPDATES:**

### **Finance Subcommittee:**

- Brian Callahan stated the committee met on September 14<sup>th</sup>, and fundraising, negative balances and a meeting schedule were discussed. In addition, the Policy and Finance subcommittees need to review the fundraising related policies, as well as a policy for transfers.
  - ❖ Mayor Sean Reardon suggested forming an adhoc group to gather a comprehensive list of everything happening with fundraising. This topic was tabled until the next meeting. Brian Callahan will take the lead.
- The Crossing Guards situation was also discussed, including using police, painting crosswalks a new color, and adding lights to all crossings.

### **Policy Subcommittee:**

- Juliet Walker reviewed the summary of policy revisions that were presented for a first reading for policy manual Sections D through H (details in the packet). The policy changes will move forward as written as a second reading at the next meeting, with the following exceptions:
  - *EC – Buildings & Grounds Management:* hold off with any changes per Mayor Reardon.
  - *EEAG – Student Transportation:* needs clarification
  - *EFD – Meal Charge Policy:* will clarify the “refund” instructions on page 2.
  - *FF – Naming New Facilities:* Hold off on any changes to this policy until receiving feedback from the legal team. Juliet Walker asked all SC members to think about the section in yellow.
  - *GBEB – Staff Conduct:* It is okay to remove the sentences marked in yellow and insert the text in the District’s personnel handbook.
  - *GBEBD – Online Fundraising and Solicitations – Crowdfunding:* hold; FINCOM will review the policy.
- The Policy Subcommittee is currently reviewing Section “I”, followed by “J” and “K”. Dorothy Presser will be at the Policy meeting at the end of October.

## **SUPERINTENDENT'S REPORT:**

- Superintendent Gallagher reported the district will finish submitting items for the Tiered Focus Monitoring to the State by the end of next week. The State will review the information, and schedule a visit after January 2024. He thanked Deb O'Connor and the entire Special Education Team for their hard work pulling this together.
- A comprehensive search for a new Special Education Director will be done with the help of the New England School Development Council (NESDEC). Once a contract is signed, they will be invited to attend a future meeting to provide an overview of their services to the School Committee.
- The company running the district's website was bought out by another company. The transition should be completed during the next few weeks. Superintendent Gallagher thanked Lisa Furlong for all the work she has completed on the website.
- Two people have expressed interest in the opening for a Newburyport representative on the Whittier Regional School Committee. Candidates will be invited to address the School Committee at the next scheduled meeting.

## **NEW BUSINESS:**

- A CISL meeting date needs to be set. Juliet Walker would like to ensure a statement is written to clarify what CISL is all about.
- The MASC Conference will be November 8-10, 2023. There will be 8 resolutions to review at the November 6<sup>th</sup> School Committee meeting.
- The October 16<sup>th</sup> School Committee meeting conflicts with the City Council's meeting. The School Committee's meeting needs to be changed.
- The Superintendent reported that the NHS Theatre group is having trouble collecting \$6115 owed to them from Brown Paper Tickets.
- Superintendent Gallagher thanked NMHUB for their efforts setting up all the equipment for this evenings meeting.

## **ADJOURNMENT:**

### **Motion:**

On a motion by Steve Cole and seconded by Brian Callahan it was

**VOTED:** to adjourn the Business meeting of the Newburyport School Committee at 8:50 PM.

**Motion Passed**



Submitted by: Lizzy Homer & Theo Roberts  
Location – High School

**News from the Nock Middle School:**

We have had an amazing first week of school. The students have set into their routine, are meeting expectations and have dove right into the academic curriculum across all disciplines. Students in the 8th grade had their first of many speaker series and welcomed many great community role models and mentors in the classroom. We want to thank Mayor Reardon, Mr. Menin, Superintendent Gallagher, Officer McElroy and Andi Egmont for volunteering some time to our students. We ended last week with an all school assembly that celebrated what has been a great opening of schools. Students donned the crimson and gold and proudly represented Clipper Nation. The focal point of the assembly was belonging, leadership and to be a person of high character this school year in and out of the community. It was a great day for the Nock.

**News from the High School:**

This Thursday, NHS will welcome 20 German students and two of their teachers from our partner school in the town of Waldkirch in the Black Forest. This exchange program between the two schools has been going strong now for over 25 years. After a forced hiatus due to Covid, we are excited to welcome these students back. Spencer Wolf has spoken several times to the accompanying teachers recently who have told me the group is really excited to spend some time in the Clipper City this fall and experience "the American way of life" for a couple of weeks.

What a great and inspiring day we had at NHS on Friday. The upperclassmen participated in programming facilitated by motivational speaker Ed Gerety. He focused students on the personal impact of a growth mindset and the value of setting goals. Additionally, he helped students recognize the value of extending gratitude to those who have supported them to this point in their lives. I'd like to thank Blake Parker, Logan Jones, and Angus Webster for their participation and modeling during the presentation.

For the freshmen, the IGNITE Peer Mentors ran sessions to further support their transition into high school and ensure all students feel connected and part of the school community. The engagement level of our grade 9 students was awesome, and we are excited to have them for the next 4 years as we work to continuously improve NHS.

We like to commend all our IGNITE Peer Mentors for the work they took on this week to prepare for this day. They are helping develop a culture grounded in student leadership, character, growth, and a sense of belonging. Their energy and enthusiasm has been contagious and I love the new motto they have brought to the forefront, CLIPPERS UP!

Also, thank you to Ms. Lynne Cote, Ms. Katherine Mailhiot, Ms. Jill Moran, Ms. Stephanie Phillips, Ms. Lori. Solazzo and Mr. John Trask for their work in this week's mentor training and programming.

### **Upcoming events at NHS:**

Student Council is hosting its annual Club Fair the week of September 26. Clubs will have tables in the cafeteria during each of the 3 lunches this week so students can learn about different activities they can get involved in. Some new clubs that have been recently added to our program include the Red Cross Club and the Game Club.

Back to school night will take place Thursday, September 21st.

NHS is hosting the Greater Essex County College & Career Fair in the NHS Gym on Wednesday, September 27th from 6pm-7:30pm.

### **Course Spotlight**

This past summer, members of the High School English department reimagined assessment, developing a portfolio system to showcase student formative and summative learning in areas of literacy: reading, writing, speaking, listening, and language. Grade 9 and Grade 11 students will have the opportunity throughout the year to demonstrate skill development, identify strengths, and target areas of growth as they reflect on their learning against the Massachusetts Framework Standards, while also developing a comprehensive portfolio of work to carry with them through their educational journey as they encompass our Portrait of a Graduate.

### **Congratulations and Shout Outs**

Congratulations to Nadia Toth. She was recently invited to participate in [WGBH's Outspoken Saturday](#). As always, her poetry and readings convey great emotion and depth.

Henry Acton, a senior last year was selected as a Soccer Scholar All America and will be honored at a banquet in Anaheim California on Jan 14th. He is the first ever at NHS to receive this award.

This year NHS has adopted the theme of "Sweep the Ship," meaning to take care of our school and each other. I'd like to commend students who have recently been caught "sweeping our ship." The following students stayed after last week's football game on their own to clear the student section of the bleachers: Cooper Grant, Martin DeJesus, Henry Walker, Michael Dunphy,,Sean Gasbarro,,Evan Lagueux.

We would also like to commend Gweneth Hoffman who had been seen picking trash left on the driveway as she came into school in the morning.



*New England School Development Council*

28 Lord Road, Marlborough, MA 01752 ➤ Tel: 508-481-9444 ➤ [www.nesdec.org](http://www.nesdec.org)

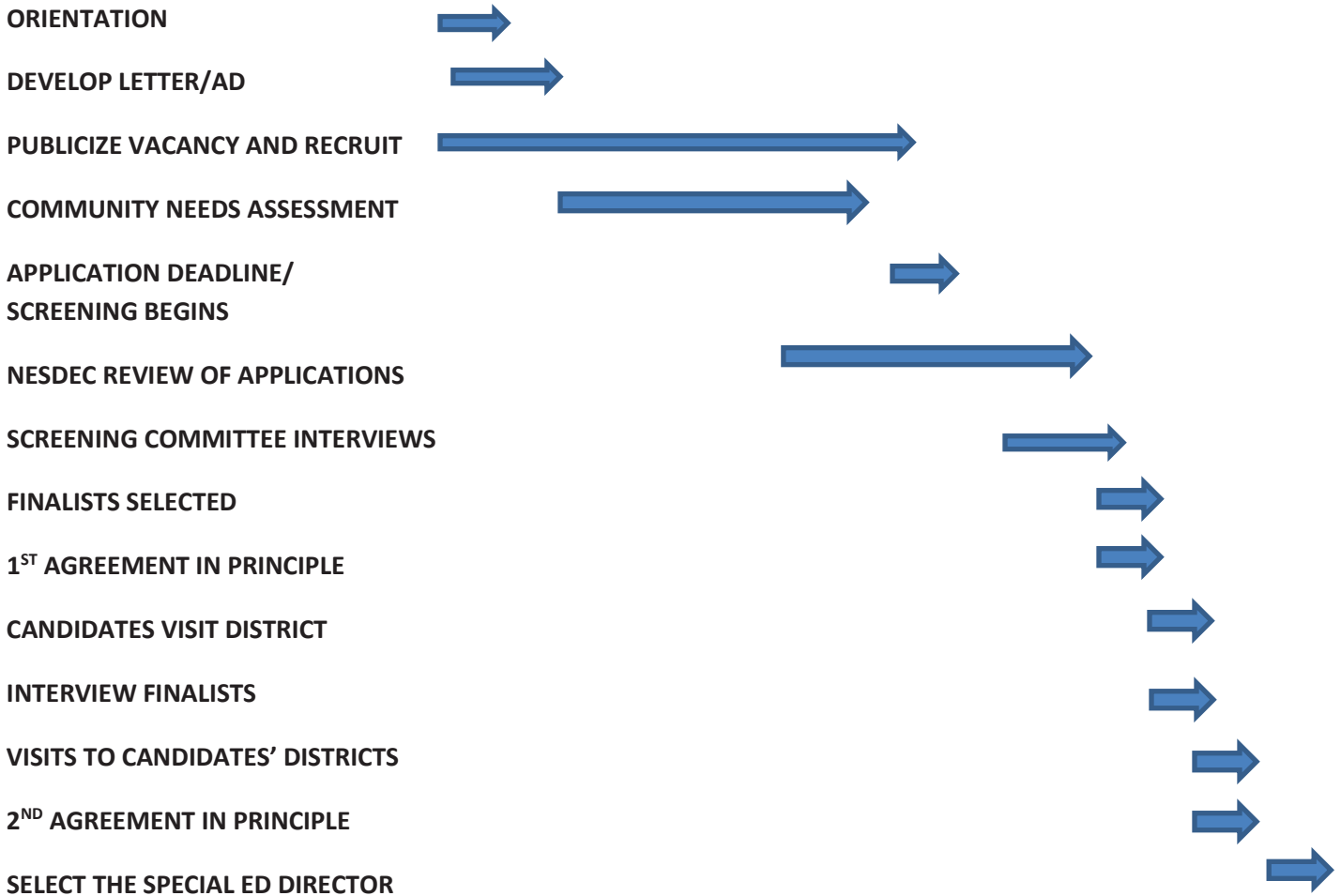
**NEWBURYPORT PUBLIC SCHOOLS  
DIRECTOR OF STUDENT SERVICES SEARCH**

**ORGANIZATIONAL GUIDE  
OCTOBER 2, 2023**

1. **Overview** of search process
2. **Communication**
  - Name school department liaison(s)
  - Name official spokesperson for Director of Student Services search
3. **Timeline** – milestones
4. **Needs Assessment Process**
  - Focus Groups
  - Interviews
  - Online Survey
5. **Informational Letter**
  - Review
  - Determine Approval Process
  - Review salary range
6. **Advertisements (decisions):**
  - Review options
7. **Screening Procedures:**
  - Role of Superintendent (discuss, clarify)
  - Role of consultant (discuss, clarify)
  - Screening of candidates (Superintendent/Screening Committee)
8. **Meeting of Screening Committee**
  - Interview/selection workshop
9. **Other matters?**
  - Example of contract for candidates
  - Job description
  - Informational documents for candidates (budget summary, organizational chart, etc.)
  - District website address for linkage

# TIMELINE FOR A TYPICAL STANDARD SEARCH

DAYS                      5 10 15 20 25 30 35 40 45 50 55 60 65 70 75 80 85 90 95 100 105 110 115 120



## MILESTONES

- Organizational Meeting
- Recruitment Begins
- Develop Executive Opportunity Letter/Advertisements
- Publicize Vacancy and Recruit
- Needs Assessment Completed
- Candidate Profile Developed/Approved
- Application Deadline/Screening Begins
- Screening Committee Begins Interviews
- Candidate Names Presented
- Finalists Interviewed
- Select Special Education Director

September 10 2023

To who it concerns,

I am writing to you today to express my interest in becoming a member of the Whittier Regional Vo-Tech School Board as a representative from Newburyport. I have spent my entire adult life in serving others in one capacity or another.

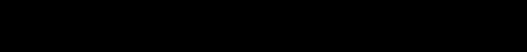
I am a lifelong resident of Newburyport, attended and graduated from Newburyport High School. I was employed for 19 years by the Newburyport Post office, attended North Shore Community College receiving my associates Degree in Fire Science and proudly served 30 years on the Newburyport Fire Department, retiring in 2011. I have owned my own landscaping business for over 40 years as well.

For 8 years, I was a member of the Newburyport City Council, serving 1 year as Council President.

I currently serve on:

- The Whittier School Student Council
- Newburyport Retirement Board for the past 9 years . Last 3 years as chairman!

I welcome your consideration for my appointment to the board.

Feel free to contact me at 

Sincerely,

Joseph Spaulding

\*\*\*\*\*

**Statement from Joseph Spaulding - Incumbent**

During my 9 years on the board I have treated all members equally in all issues. While working alongside the board members and office staff, we worked to open the new office on Unicorn Street providing privacy and easy access, upgraded the phone systems, added fulltime staffing, a website and newsletter and presented our budget before City Council. I met with members and listened to them, working to get benefits that they earned, testified at PERAC hearings in Boston, and voted 9 years for a 3% COLA for retirees.

I would greatly appreciate your vote! Thank you.

\*\*\*\*\*

# Donna D. Holaday, Esq.

Newburyport, MA 01950 |

## Professional Experience

### Mayor

City of Newburyport, MA

January 2010 - January 2022

Elected to serve four terms as Mayor, Chief Executive to lead an historic seaport city of 18,000 people through a significant period of growth, property demand, and investment in major capital projects and operations

- Developed and managed a \$74M budget; achieved AAA bond rating and received the Government Financial Officers Organization's Budget Distinction Award for the past 9 years
- Managed 18 departments with direct reports supporting over 300 employees; Chair of School Committee
- Funded over \$150M in major capital projects including two school buildings, senior community center, harbor master facility, field spaces, rail trail expansion, intermodal parking garage and major upgrades to water and sewer plants
- Established two new departments- Human Resources and Parks and hired a Grant Writer
- Created a Resiliency committee completing the Newburyport Climate Resiliency Plan- a comprehensive plan identifying threats, priorities and action steps to address storm surge and climate change
- Upgraded IT including installing fiber to all city buildings; upgraded all work stations; enhanced cybersecurity; increased online services, payments and permitting
- Negotiated contract renewals with seven unions and non-union Department Heads
- Established the Alliance for Diversity, Equity & Inclusion with broad community representation
- Developed extensive networks and partnerships with federal, state, regional and local officials and organizations

### City Councilor at-large

Newburyport, MA

2002 – 2004, 2008 - 2010

- Elected to two terms on the City Council Chairing the Budget and Finance committee and serving on the Public Safety and General Government committees

### Director of Resource Development

1998 - 2009

Middlesex Community College, Bedford, MA

- Researched federal, state and other funding sources to develop proposals for new and continuing college program initiatives including international and Fellowship programs, Homeland Security, alternative education, Federal Perkins program and other sources for supporting first generation students
- Worked extensively with Business & Industry to develop workforce training programs with area companies including health care, manufacturing, engineering, and biopharma
- Developed regional initiatives with Workforce Investment Boards, education and industry partners in high need workforce areas including health care, early childcare, and hospitality

## Adjunct Faculty

North Shore Community College  
Northern Essex Community College  
Middlesex Community College

1992 - 2009

- Taught online, hybrid and in-person courses in Human Services, Behavior Management, Counseling Theory & Skills, Substance Abuse, Interpersonal Relationships and Law

## Director of Services/Clinical Director/Consultant

Turning Point Inc., Newburyport, MA

1978 - 1998

- Initially employed as a consultant to this expanding non-profit agency providing residential services to individuals with disabilities
- Joined the senior management team with increasing clinical, management and training responsibilities for 22 programs and over 200 staff
- Established community-based homes for individuals transitioning from long-term institutional settings
- Supported agency divisions providing substance abuse counseling; GED preparation for displaced workers; Youth Diversion, and housing for survivors of domestic violence

## Service Coordinator

MA Department of Developmental Services (formerly Department of Mental Retardation)

North Reading and Malden, MA 1985 – 1989

- Responsible for monitoring service delivery to adults with developmental disabilities/mental illness, facilitated team process for development of Individual Service Plans, crisis intervention, family support, and contract reviews
- Chairperson of Region III's Aging Task Force and was instrumental in establishing a comprehensive 2 day conference and resource directory on aging resulting in the receipt of the state's *Pride in Performance Award*

## Intermediate Care Facility Coordinator Service Coordinator

Haverhill-Newburyport Human Services

1984 – 1985

Haverhill, MA

- Directed residential program for adults with severe cognitive and behavioral challenges, coordinated day and residential services, Service Plan development, and clinical programs
- Responsible for staff supervision, contract compliance, and fiscal management

## Speech Pathology Consultant

1978 - 1984

- Employed in clinical, hospital, educational, institutional, vocational and residential settings to provide evaluation and therapeutic intervention with children and adults with diverse diagnoses and disabilities.



## Education

### **Juris Doctor, *cum laude***

May 2002

**Massachusetts School of Law, Andover, MA**

Appointed to Law Review & Selected for ATLA Trial Team (2000-2001)

### **Mediation Certification**

2001

**Mediation Works Incorporated, Boston, MA**

Trained Mediator- completed 36 hours of Executive Mediation Training in accordance with MGL ch. 233 § 23C.; completed 30 hours in Family and Divorce Mediation

### **Masters of Education Degree**

May 1986

**University of New Hampshire, Durham, NH**

*Passed Comprehensives exams with Distinction*

### **Masters of Science, Speech and Language Pathology**

May 1979

**Boston University, Boston, MA**

### **Bachelors of Science, Communication Disorders, *cum laude***

May 1977

**University of New Hampshire, Durham, NH**

### **Business and Industrial Leadership and Management Training Certificate Program**

1995

**Endicott College, Beverly, MA**

## Sample Presentations

### **Merrimack River Watershed Council**

*State of the Waters 2018*

*Climate Change and the Watershed -The Municipal Response at the Top Level*

Dec. 7<sup>th</sup> 2018

### **National Oceanic and Atmospheric Administration**

Fisheries' Community Resiliency Workshop

*Community Resiliency* June 27, 2017

### **Massachusetts Sustainable Communities & Campuses**

*Municipal Sustainability*, Endicott College, March 17, 2017

### **MA Municipal Association Mayors Meeting**

Urban Renewal: Demolition or Restoration – Newburyport's Story June 2016

## **US Conference of Mayors**

Preparing for Self-Sustaining Communities: Adulthood, Seniors, and the Aging Population. Boston College, October 8, 2015

## **BOARDS, COMMISSIONS and MEMBERSHIP**

- **Essex National Heritage Commissioner 2022-**
- **MA Municipal Association:**  
**Executive Board & Local Government Advisory Council 2018 - 2021**  
**President MA Mayors Association 2017-2018**  
**Chair Policy Committee on Municipal and Regional Administration 2017 - 2020**
- **Climate Change Mayors 2017 - 2021**
- **Newburyport Affordable Housing Trust 2012 - 2021**
- **Newburyport Bank Commissioner 2012-**
- **Greater Newburyport Chamber of Commerce Economic Advisory Council 2010-2021**
- **BEACON Coalition Youth Advisory Group 2002 - 2021**
- **Merrimack Valley Planning Commission Mayors & Managers Group 2010 - 2021**
- **Merrimack River Beach Alliance 2010-2021**
- **MA Bar Association 2002-**

## **AWARDS**

### **Greater Newburyport Chamber of Commerce**

*Captain's Leadership Award 2021*

### **The Rotary Foundation of Rotary International**

*Paul Harris Fellow 2021*

### **Essex National Heritage**

*Special Recognition Award 2021*

*Essex Heritage Partnership Award 2011*

### **MA Municipal Association**

*Distinguished Leadership Award 2017*

### **Jeanne Geiger Crisis Center**

*35<sup>th</sup> Anniversary Pillar Honoree 2017*

### **ICLEI- Local Government for Sustainability**

*Milestone Achievement Award 2017*

### **Newburyport Preservation Trust**

*Preservation Leadership Award 2012*

## School Committee Fundraising Advisory Committee

- **Purpose:** Form an Advisory Committee as stated in Policy BDF, to develop guidelines for School Committee decisions related to fundraising for athletics, clubs, student body activities, and external organizations such as PTO and NEF, particularly when the purpose of the fundraiser is to supplement the operational budget.
- **Scope:** Research and evaluate existing fundraising policies and budget practices to determine what revisions may need to be made in Policy and Finance subcommittees.
  - Review current Policies JJE, JJF, KCE, related policy KHA, and Budget policies as needed.
  - Determine which materials/activities may be purchased via fundraising and create or modify Policies to reflect that decision
  - Recommend a maximum vendor split

## **SECTION D FISCAL MANAGEMENT**

### **DA – Fiscal Management Goals**

The proposed revisions are based on the MASC version, which put more emphasis on the relationship between fiscal resources and goals.

### **DB – Annual Budget**

This MASC version was recently revised. The policy acknowledges that not all costs incurred by the district are covered by Chapter 70, and that the School Committee has the authority to change spending plans after budget approval to meet changing needs.

### **DBD – Budget Planning**

The Newburyport version of this policy is unnecessarily detailed and procedural with some overlap with other sections. The MASC version is less detailed in describing the elements of budget planning.

### **DBG – Budget Adoption Procedures**

The MASC version recognizes the two steps of adoption, first by the School Committee, then by the appropriating authority. There are existing components of the existing policy that come from the City Charter and would be important to keep.

### **DBH – Budget Posting Requirements**

MASC does not have an equivalent policy. The existing language was added to the revised version of DBG. Recommend deleting this policy.

### **DD – Grants, Proposals and Special Projects**

The MASC version was recently revised to reflect more clearly that the School Committee must accept all grants and gifts. It also assures that procedures are in place for grant administration.

### **DEC – Federal Funds Supplement Not Supplant Policy**

This MASC policy codifies that federal funds will be used appropriately according to grant requirements.

### **DH – Bonded Employees and Officers**

The MASC version has some additional legal and cross references. Other than that, the policies match.

#### DI – Fiscal Accounting and Reporting

The MASC version has a bit more detail, but the two versions of the policy basically match in intent.

#### DIE – Audits

The MASC version of this policy was recently revised to delineate the various audits that the district is subject to.

#### DJ – Purchasing

The MASC version of the policy was recently revised to be more reflective of regulations regarding purchasing.

#### DJA – Purchasing Authority

The main difference in the two versions is in the first sentence of the policy. The MASC specifically mentions cost centers and the Newburyport version mentions “detailed listing.”

#### DJG – Vendor Relations

This policy was deleted from the MASC reference manual as no longer needed.

# Newburyport Public School District Policies

*Proposed Revisions to*

## **Section D: Fiscal Management**

*for Second Reading on October 4, 2023*

*EDITED VERSION (with changes tracked)*

**Insertions shown in BOLD (or as otherwise noted)**

**Deletions shown in ~~Strikethrough~~**

## FISCAL MANAGEMENT GOALS

The quantity and quality of learning programs are directly dependent on the effective, efficient management of allocated funds. It follows that achievement of the school system's purposes can best be achieved through excellent fiscal management.

As trustee of local, state, and federal funds allocated for use in public education, the School Committee will fulfill its responsibility to see that these funds are used wisely for achievement of the purposes to which they are allocated.

Because of resource limitations, there is sometimes a temptation to operate so that fiscal concerns overshadow the educational program. Recognizing this, it is essential that the school system take specific action to make sure education remains central and that fiscal matters need to be developed in partnership with the Mayor and City Council to contribute to the educational program. This concept will be incorporated into School Committee operations and into all aspects of school system management and operation.

In the school system's fiscal management, it is the Committee's intent to:

1. Engage in thorough advance planning, with staff and community involvement, in order to develop budgets and to guide expenditures so as to achieve the greatest educational returns and the greatest contributions to the educational program in relation to dollars expended.
2. Develop and monitor long-range projections ~~going out at least three years~~ for the purposes of aligning financial resources with the ~~strategic~~ priorities of the ~~School Department~~ **Strategic Plan**.
3. Establish levels of funding that will provide high quality education for the students.
4. **To advocate for levels of funding that will provide high quality education for all students**
5. Use the best practices for budget development and fiscal management.
6. Provide timely and accurate information to all staff with fiscal management responsibilities.
7. **To provide timely and appropriate information to the community**
8. ~~Streamline procedures for accounting, reporting, business, purchasing and delivery, payroll, payment of vendors and contractors, and all other areas of fiscal management.~~

**DELETE ENTIRE POLICY AND REPLACE WITH NEW VERSION**

File: DB

**ANNUAL BUDGET**

~~The annual budget is the financial expression of the educational program of the school department, and it mirrors the mission, vision, strategic goals and regulatory requirements involved with the district activities.~~

~~The budget then is more than just a financial instrument and requires an orderly and cooperative effort on the part of the Committee, the staff, and the community in order to ensure sound fiscal practices while achieving the educational goals and objectives of the school system.~~

~~The School Committee is charged by City Charter to oversee the administration of an annual operating budget for the school department, subject to appropriation by the City Council. The School Committee shall have general charge and superintendence of all school buildings and grounds and shall furnish all school buildings with proper fixtures, furniture and equipment. The School Committee shall provide ordinary maintenance of all school buildings and grounds; unless a central municipal maintenance department which may include maintenance of school buildings and grounds is established in accordance with law.~~

~~The Superintendent will serve as budget officer but he/she may delegate portions of this responsibility to members of his/her staff, as he/she deems appropriate. The three general areas of responsibility for the Superintendent as budget officer will be budget preparation, budget presentation, and budget administration.~~

LEGAL REFS.: ~~————~~ M.G.L. [71:34](#); [71:37](#) and [71:38N](#)  
City Charter Section; Article 4, Section 4.3



**UPDATED POLICY**

**ANNUAL BUDGET**

The annual budget is the financial expression of the educational program of the school department, and it mirrors the mission, vision, strategic goals and regulatory requirements involved with the district activities.

The budget is more than just a financial instrument and requires an orderly and cooperative effort on the part of the Committee, the staff, and the community in order to ensure sound fiscal practices while achieving the educational goals and objectives of the school system.

Public school budgeting is regulated and controlled by legislation, state regulations, City Charter, and local School Committee policy. The operating budget for the school district will be prepared and managed in line with the above.

In developing a budget, care shall be taken to make all presentations and documents associated with the budget clear and accessible to the members of the School Committee, to the municipal officials, and to the general public.

The budget shall be in compliance with the foundation budget. It is acknowledged that the foundation budget reflects the minimum recommended spending for a District, and excludes transportation costs, debt service costs, and costs associated with the acquisition of fixed assets. The aforementioned items, and other items that are not adequately covered, must, therefore, be budgeted in addition to the foundation budget, and funds to support those expenditures must be raised from the community, after the use of any offsetting revenues received from the state.

The Superintendent will serve as budget officer but may delegate portions of this responsibility to members of their staff, as they deem appropriate. The three general areas of responsibility for the Superintendent as budget officer are budget preparation, budget presentation, and budget administration.

A budget is a spending plan, which is developed well in advance of the fiscal year.

Circumstances may occur which necessitate changing spending priorities and redirecting funds within the budget accordingly. Revisions to the budget may be made from time to time by the Committee, upon the recommendation of the Superintendent.

Annual budgets for each school operated by the District shall be developed with input from the School Council and shall reflect the priorities established in the annual school improvement plan.

LEGAL REFS.: M.G.L. 71:34; 71:37 and 71:38N

## **BUDGET PLANNING PROCESS**

~~The major portion of income for the operation of the public schools is derived from local property taxes, and the School Committee must work within the fiscal constraints of projected revenues while understanding and protecting the valid interest of the taxpayers. However, the first priority in the development of an annual budget will be the educational welfare of the children in our schools.~~

~~Budget decisions reflect the attitude and philosophy of those charged with the responsibility for educational decision-making. Therefore, a sound budget development process must be established to ensure that the annual operating budget accurately reflects this school system's goals and objectives.~~

~~The Superintendent will have overall responsibility for budget preparation, including the construction of, and adherence to, a budget calendar. The purpose of the school budget development process is to estimate the funds required to operate the school department's educational and support programs for the coming fiscal year. This begins with the formulation and distribution of individual school and department budget materials, which are prepared and devised into the annual Superintendent's recommended budget.~~

~~The budget may incorporate the School Committee's budget guidelines with short and long-term goals. The budget is submitted to the School Committee, and through public meetings, the School Committee poses questions to school administration regarding priorities in instruction and administration, efficiency in operation and revenue and expense options. Additional compromises may be made to balance the needs of the schools and the need to control budget growth. Municipal departments may closely monitor the discussions to understand the issues and form the basis of their assessments of the final budget recommendations. After a public hearing, the superintendent's recommended budget is voted by the School Committee and submitted to the Mayor in accordance with the law.~~

### **Budget Hearing**

~~The School Committee will hold an annual budget hearing. The annual budget hearing may be included as part of a regular School Committee meeting or held separately as a special meeting of the School Committee as determined by the School Committee. Notice of the budget hearing, including date, time and place, as well as the places where copies of the budget will be available for examination by interested citizens, will be publicized at least 7 days in advance through regular publicity channels, including the local newspaper of record and district websites.~~

~~LEGAL REF.: City Charter~~

**UPDATED POLICY**

**BUDGET PLANNING**

A sound budget development process must be established to ensure that the annual operating budget accurately reflects the District's goals. The budget is a financial planning tool that grounds itself in careful analysis of student achievement, enrollment, mandated services, and community values to allocate resources towards the goals set by the Committee. The first priority in the development of an annual budget will be the educational welfare of the children in our schools.

The Committee also holds in balance the valid interest of the taxpayers.

The budget document shall reflect all sources of revenue. It shall clearly explain how those funds will be used.

In the budget planning process for the school district, the Superintendent will:

1. Engage in thorough advance planning, with staff and community involvement, in order to develop budgets and guide expenditures in a manner that will achieve the greatest educational returns and contributions to the educational program in relation to dollars expended.
2. Establish levels of funding that will provide high quality education for all students.
3. Use the best available techniques for budget development and management.

The Superintendent will have overall responsibility for budget preparation, including the construction of, and adherence to, a budget calendar which will be shared publicly with the community. Such calendar will take into consideration the requirement that School Councils are to be consulted in developing school budgets.



## **BUDGET POSTING REQUIREMENTS**

~~In addition to any other posting requirement under law, immediately after the submission of its approved school budget to the mayor, the School Committee shall cause it to be posted on the school department website. Said budget document shall remain posted there during the review process contained in this Article. The final school budget as enacted shall be posted on the school department's website and shall remain there at least throughout the fiscal year for which it is in effect. Said budget document shall specify any revisions made to reflect any action by the City Council and the mayor and it shall indicate that it is the final budget of the school department.~~

LEGAL REF.: ~~————~~ City of Newburyport Charter

**DELETE ENTIRE POLICY AND REPLACE WITH NEW VERSION**

File: DD

### **FUNDING PROPOSALS AND APPLICATIONS**

~~The School Committee will encourage the administration to seek and secure all possible sources of state, federal, and other special funds that will enhance the educational opportunities for the children in our schools.~~

~~The Superintendent will keep informed of all possible funding sources available to the school system under the various state and federal programs, and in what manner these funds can best be used in the school system.~~

~~The Superintendent will be responsible for seeking out and coordinating the development of proposals for all specially funded projects and for submitting the proposals to the Committee for approval.~~

~~The Superintendent is authorized to sign all reports for these projects and will be responsible for the proper expenditure of funds received for such projects.~~

LEGAL REFS.: — M.G.L. [44:53A](#)  
P.L. 874 Impact Aid  
Board of Education 603 CMR [32:00](#); [34:00](#)

## UPDATED POLICY

File: DD

### **GRANTS, PROPOSALS, AND SPECIAL PROJECTS**

In accordance with state law, all grants and gifts to the District must be reviewed and accepted by the School Committee before expenditure. The School Committee will encourage the administration to seek and secure possible sources of state, federal, and other special funds that will enhance the educational opportunities for the children in alignment with district goals. The superintendent will submit for School Committee approval spending plans at the same cost center level as the district budget.

The Superintendent will be responsible for coordinating the development of proposals for all specially funded projects and for keeping the Committee apprised and updated on all such projects.

The Superintendent will ensure the district has and follows a written set of procedures in grant administration that aligns with state and federal laws and regulations.

LEGAL REF.: M.G.L. 44:53A; 71:37A

2 CFR 200 Federal Uniform Administrative Requirements

**NEW POLICY**

File: DEC

**FEDERAL FUNDS SUPPLEMENT NOT SUPPLANT POLICY**

The Newburyport School District is committed to utilizing federal grant funds to supplement instructional programs funded by local, state, and other sources as required by law and regulation. Federal funds will be used to complement and extend district-funded programs, not to take the place of (supplant) programs previously funded by the district, except as provided by the granting program.

The Superintendent or designee will ensure that federal grant funds are disbursed appropriately and that associated record-keeping and reporting complies with required guidelines and mandates.

LEGAL REF: Elementary and Secondary Education Act, as amended



## **BONDED EMPLOYEES AND OFFICERS**

Each employee of the school system who is assigned the responsibility of receiving and dispensing school funds will be bonded individually or covered by a blanket bond. The City of Newburyport will pay the cost of the bond.

LEGAL REF.: M.G.L. 40:5, **41:109A; 71:47**

CROSS REFS: **DI Fiscal Accounting and Reporting**  
**JJF Student Activity Funds**

## **FISCAL ACCOUNTING AND REPORTING**

The Superintendent is responsible for receiving and properly accounting for all funds of the school system.

The accounting system used will conform to state requirements and with good accounting practices, providing for the appropriate separation of accounts, funds, and special monies.

The School Committee will receive periodic financial statements from the Superintendent showing the financial condition of the school department. Such other financial statements as may be determined necessary by either the Committee or the administration will be presented as necessary or requested.

LEGAL REF.:       **MGL Ch. 44:38**  
                          **603 CMR 10:00**  
                          **2 CFR 200.303**

**DELETE ENTIRE POLICY AND REPLACE WITH NEW VERSION**

File: DIE

## **AUDITS**

~~In accordance with the City Charter, An audit of the school department's accounts will be conducted annually. In addition, the Committee may request a private audit of the school system's accounts at its discretion.~~

~~An independent auditor will be appointed by the Finance Sub-committee, and this appointment will be reviewed by the sub-committee at least every 3 years.~~

~~The Committee will consider recommendations made by the auditor for maintaining an efficient system for recording and safeguarding the school department's assets.~~

LEGAL REFS.: ~~\_\_\_\_\_~~ M.G.L. [71:16E](#)  
City Charter Section 6-6

## UPDATED POLICY

File: DIE

### AUDITS

An audit of the school department's accounts shall be conducted annually by external auditors within nine months of the close of the fiscal year. This review shall be conducted in accordance with the generally accepted accounting principles and the Government Auditing Standards issued by the U. S. Comptroller General.

Upon completion of the external audit, the superintendent will share the resulting documentation with the Committee. The Committee will consider the recommendations made by the auditor for maintaining an efficient system for recording and safeguarding the school department's assets.

Additionally, the district is also subject to the following:

- End of Year Financial Compliance Report: Every Massachusetts school district must submit the results of this report to the Department. This End of Year report must be submitted to the Department on or before September 30 each year.
- Government Accounting Standards Board 34: The District is covered in these government financial statements of revenue and expenditures of the municipality.
- Federal grant audits: As a district that spends about thresholds required, the district is subject to the Single Audit Act.
- Student Activity Account: As required by state law, student activity accounts are audited annually. For accounts that exceed \$25,000, the School Committee shall consider an audit conducted by an outside firm every three years

The Committee may request an additional audit of the school district's accounts at its discretion

LEGAL REF: M.G.L. 44:38-40; 71:47; 72:3

CROSS REFS: DI, Fiscal Accounting and Reporting  
JJF, Student Activity Accounts

**DELETE ENTIRE POLICY AND REPLACE WITH NEW VERSION**

File: DJ

## **PURCHASING**

~~The School Committee will employ competitive purchasing procedures without prejudice and will seek maximum educational value for every dollar expended.~~

~~The acquisition of materials, equipment and services will be centralized in the Superintendent's office of the school system.~~

~~The Superintendent will serve as purchasing agent. He/she will develop and administer the purchasing program for the schools in keeping with legal requirements and with the adopted school budget.~~

~~School purchases will be made only on official purchase orders approved for issuance by the appropriate unit head and signed by the Superintendent, with such exceptions as may be made by the latter for emergency purchases.~~

~~LEGAL REFS.:~~ M.G.L. [7:22A](#); [7:22B](#); [30B](#); [71:49A](#)

## UPDATED POLICY

File: DJ

### PURCHASING

It shall be the responsibility of the Superintendent:

- To procure materials, supplies, equipment, and services at the lowest possible cost consistent with the quality necessary for the proper operation of the District, thereby attaining the maximum value for each public dollar spent;
- To maintain the District's reputation for fairness and integrity and to promote impartial and equal treatment to all who wish to conduct business with the District;
- To encourage a mutually cooperative relationship with requesting departments, recognizing that successful purchasing is a result of team planning and effort;
- To promote social and economic goals such as encouraging local, small, minority, and women-owned businesses to participate in bidding for District purchases.

The acquisition of materials, equipment, and services will be centralized in the Superintendent's office of the school district.

The Superintendent will designate the District's purchasing agent. They will develop and administer the purchasing program for the schools in keeping with legal requirements and within the adopted school budget.

School purchases will be made only on official purchase orders approved for issuance by the appropriate unit head and signed by the Superintendent or designee, with such exceptions as may be made by the latter for emergency purchases.

LEGAL REF.: M.G.L. 30B; 71:49A

**DELETE ENTIRE POLICY AND REPLACE WITH NEW VERSION**

File: DJA

### **PURCHASING AUTHORITY**

~~Authority for the purchase of materials, equipment, supplies, and services is extended to the Superintendent through the detailed listing of such items compiled as part of the budget-making process.~~

~~The purchase of items and services on such lists requires no further Committee approval except when by law or Committee policy the purchases or services must be put to bid.~~

~~LEGAL REFS.:~~ M.G.L. [30B](#)

~~CROSS REF.:~~ [DJE](#), Bidding Requirements

## UPDATED POLICY

File: DJA

### **PURCHASING AUTHORITY**

Authority for the purchase of materials, equipment, supplies, and services is extended to the Superintendent through cost-center appropriation as part of the District budget process.

The purchase of items and services within the cost-center appropriation requires no further Committee approval except when by law or by Committee policy.

LEGAL REFS.: M.G.L. 30B

CROSS REF.: DJE, Bidding Requirements



## **VENDOR RELATIONS**

~~Representatives of firms doing or hoping to do business with the school system will be acknowledged and interviews granted or not, depending on the circumstances. Personnel charged with the purchasing function will not be required to put their time at the indiscriminate use of sales personnel, who will limit their visits to staff members designated by school officials.~~

## SECTION E Support Services

### EB – Safety Program

The difference in the two versions is in the first sentence, which has recently been edited in the MASC version.

### EBB – First Aid

The two versions match except for some wording differences.

### EBC – Emergency Plans

The two versions match, except for an additional bullet in the Newburyport version.

Recommend removing reference to ALICE in item #8.

### EBCD – Emergency Closings

This is an MASC policy only. It can be helpful to provide some information to the community on how closing decisions are reached.

### EBCFA – Face Coverings

Many school committees are choosing to remove these policies as they are no longer relevant, others are choosing to keep it updated as guidance changes. The MASC version hasn't been updated since August 2022 and the source references are no longer relevant. Policy Subcommittee, in consultation with staff, is recommending rescinding this policy.

### EC – Buildings and Grounds Management **[HOLD FOR REVIEW BY CITY]**

The two policies match except for a wording difference.

### ECAC – Vandalism

The two policies match except for a wording difference.

### ECAF – Security Cameras in Schools

The two policies match except for some differences in who has access to video recordings.

The MASC version is slightly more restrictive.

### EDC – Authorized Use of School-Owned Materials

The two versions of the policy match. One wording change is recommended.

#### EEA – Student Transportation Services

The two versions match, except for some wording differences in the second paragraph.

#### EEAE – School Bus Safety Program

The two versions match, except for some wording differences.

#### EEAEA – Bus Driver Examination and Training

The two versions match except for an additional bullet in the Newburyport version, which has been updated to reflect current practice.

#### EEAE-I – Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The two versions match in content. MASC recently updated the coding of the policy to EEAEB.

#### EEAEC – Student Conduct on School Buses

The two versions match except for some wording differences and an additional sentence in the Newburyport version, which is a Cross Reference in the MASC version.

#### EEAG – Student Transportation in Private Vehicles [HOLD TO REVIEW INSURANCE REQUIREMENTS FOR PERSONAL VEHICLES]

The two versions match except for some wording differences and an additional bullet in the MASC version.

#### EFC – Free and Reduced Price Food Services

The two versions match except for some wording differences.

#### EFD – Meal Charge Policy [HOLD FOR ANOTHER REVIEW WITH STAFF]

There are significant differences in the content of the two policies. Revisions reflect current practice after discussion with staff.

# **Newburyport Public School District Policies**

*Proposed Revisions to*

## **Section E: Support Services**

*for Second Reading on October 4, 2023*

*EDITED VERSION (with changes tracked)*

**Insertions shown in BOLD (or as otherwise noted)**

**Deletions shown in ~~Strikethrough~~**

## **SAFETY PROGRAM**

Accidents are undesirable, unplanned occurrences that can result in tragic consequences. ~~—bodily harm, loss of school time, property damage, legal action, and even fatality.~~ The School Committee will guard against such occurrences by taking precautions to protect the safety of all students, employees, visitors and others present on school property or at school-sponsored events.

Newburyport Schools will comply with safety requirements established by governmental authorities and will insist that its staff adhere to recommended safety practices as these pertain, for example, to the school plant, special areas of instruction, student transportation, school sports and occupational safety. The practice of safety will also be considered a facet of the instructional program of the schools. Instruction will include accident prevention as well as fire prevention; emergency procedures; traffic, bicycle, and pedestrian safety.

The Superintendent will have overall responsibility for the safety program of the school system. It will be the responsibility of the Superintendent to see that appropriate staff members are kept informed of current state and local requirements relating to fire prevention, civil defense, sanitation, public health, and occupational safety.

Efforts directed toward the prevention of accidents will succeed only to the degree that all staff members recognize that preventing accidents is a daily operational responsibility.

LEGAL REFS.:       M.G.L. 71:55C  
                          603 CMR 36:00

## FIRST AID

The district attempts to provide a safe environment. If an accident or sudden illness occurs, school personnel will administer first aid and, if warranted, call emergency medical services. In the case of illness that may include an infectious disease the **Board of Health** and school physician shall be notified in accordance with law.

First aid is defined as the immediate and temporary care given in case of an accident or sudden illness, which enables the **student child** to be taken safely home or to a physician. It does not include diagnosis or treatment. Any care beyond first aid will not be given.

At each school, procedures will be maintained for the proper handling of an injury to, or sudden illness of, a **student child** or staff member. These will be made known to the staff and will incorporate the following requirements:

1. The school nurse or another trained person will be responsible for administering first aid.
2. When the nature of an illness or an injury appears in any way serious, every effort will be made to contact the parent/guardian and/or family physician immediately.
3. In extreme emergencies, the school nurse, school physician or Principal may make arrangements for immediate transport to a hospital of injured or ill students, contacting parent or guardian in advance if at all possible.
4. The teacher or other staff member to whom a **student child** is responsible at the time an accident occurs will make out a report on an official form providing details about the accident. This will be required for every accident for which first aid is given.
5. All accidents to students and staff members will be reported as soon as possible to the Superintendent and, if the Superintendent deems appropriate, to the School Committee.

LEGAL REFS.: M.G.L. 71:55A; 71:56

CROSS REF.: JLC, Student Health Services and Requirements

## **EMERGENCY PLANS**

Advance planning for emergencies and disasters is essential to provide for the safety of students and staff; it also strengthens the morale of all concerned to know that plans exist and that students and staff have been trained in carrying out the plans.

The Superintendent will develop and maintain plans that meet the requirements of state law for preparedness in case of fire, civil emergencies, and natural disasters.

The Superintendent shall develop, in consultation with school nurses, school physicians, athletic coaches, trainers, and local police, fire and emergency personnel, an Emergency Medical Response Plan for each school in the district. Each Plan shall include:

1. A method establishing a rapid communications system linking all parts of each school's campus, including outdoor facilities, to local Emergency Medical Services along with protocols to clarify when EMS and other emergency contacts will be called.
2. A determination of EMS response times to any location in the schools.
3. A list of relevant contacts with telephone numbers and a protocol indicating when each person shall be called, including names of experts to help with post-event support.
4. A method to efficiently direct EMS personnel to any location in the schools, including the location of available rescue equipment.
5. Safety precautions to prevent injuries in classrooms and on the school campus.
6. A method of providing access to training in CPR and first aid for teachers, athletic coaches, trainers, and other school staff which may include CPR training for High School students.
7. The location of all available Automated External Defibrillators (AEDs), whether the location is fixed or portable, and a list of personnel trained in its use.
8. Initial and yearly refresher training for all staff covering Emergency management protocols (**ALICE**).

The Superintendent shall annually review the response sequence with local police and fire officials. Plans shall be submitted to local police and fire officials and the DESE at least every 3 years by September 1 or when changes occur. Plans must be updated in the case of new construction or other physical changes to the school campus.

Building Principals will meet all requirements for conducting fire drills and Emergency Response drills (at least once per year) to give students practice in moving with orderly dispatch to designated areas under emergency conditions, and the staff practice in carrying out their assigned responsibilities for building evacuation.

LEGAL REFS.: M.G.L. 69:8A , Section 363 of Chapter 159 of the Acts of 2000

CROSS REFS.: EBCD, Emergency Closings  
JL, Student Welfare  
JLC, Student Health Services and Requirements



## NEW POLICY

File: EBCD

### EMERGENCY CLOSINGS

The Superintendent may close the schools or dismiss them early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour or to dismiss students early, the Superintendent has the responsibility to see that as much of the administrative, supervisory and operational activity is continued as may be possible. Therefore, if conditions affect only a single school, only that school will be closed.

In making the decision to close schools, the Superintendent will consider many factors, including the following principle ones relating to the fundamental concern for the safety and health of the students:

1. Weather conditions, both existing and predicted.
2. Driving, traffic, and parking conditions affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent will weigh these factors and take action to close the schools only after consultation with public works and public safety authorities and with school officials from neighboring towns. Students, parents/guardians and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closings. When schools are closed for emergency reasons, staff members will comply with School Committee policy in reporting for work.

LEGAL REFS.: M.G.L. 71:4; 71:4A

## **FACE COVERINGS**

~~The Newburyport School District is committed to providing a safe environment in schools during a pandemic. Maintaining a safe environment is critical to the District's ability to maintain a full-time in person classroom learning experience.~~

~~According to public health experts, one of the best ways to stop the spread of coronavirus (or other contagious pandemic disease) and to keep members of our school community safe, is the use of face masks or face coverings. Therefore, using the guidance and recommendations from the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE) and the Massachusetts Department of Public Health (DPH), the District has established the following requirements which will remain in place until further notice.~~

~~A face covering that covers the nose and mouth must be worn by all individuals in school buildings and on school transportation. Face coverings must also be worn outside when social distancing cannot be observed.~~

~~Masks or face coverings will not be required for anyone who has a medical, behavioral or other challenge making it unsafe to wear a face mask or face covering. A written note from a physician is required for a requested exemption. Parents may not excuse their child from the face mask requirement by signing a waiver.~~

~~Additionally, face masks or face coverings will not be required when appropriate social distancing is enforced: during mask breaks, while eating or drinking, during physical education classes or while outside.~~

~~Exceptions to this policy under certain circumstances, such as for students with medical, behavioral or other challenges who are unable to wear masks, must be approved by the building principal in consultation with the school nurse or local Board of Health. Face shields or physical barriers may provide an alternative in some instances.~~

~~A student's mask or face covering is to be provided by the student's family. Staff members are responsible for providing their own face coverings. However, the district will supply disposable face covering for individuals who arrive at a building, or board school transportation, without one.~~

~~If students are in violation of this policy, the building principal will consult with the parent/guardians to determine whether an exception is appropriate, or the student may be removed from the school building for in-person learning until such time as they can comply with the requirement, or the requirement is lifted.~~

~~Violations of this policy by staff will be handled in the same manner as other violations of School Committee policy.~~

~~Visitors in violation of this policy will be denied entry to the school/district facility.~~

~~This policy will remain in place until rescinded by the School Committee. We will revisit this policy in October, following DESE guidelines, advice of our Medical Advisory Committee and the local Board of Health.~~

## Guidance Statements

Massachusetts Department of Public Health

<https://www.mass.gov/doc/updated-advisory-regarding-masks-and-face-coverings-july-30-2021-0/download>

Center for Disease Control and Prevention – Guidance for Covid-19 Prevention in K-12 Schools Updated August 5, 2021 –

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

Center for Disease Controls – Guidance for Covid-19 Prevention on Public Transportation

<https://www.cdc.gov/coronavirus/2019-ncov/travelers/face-masks-public-transportation.html>

Massachusetts Department of Elementary and Secondary Education – Fall 2021 Covid-19 Guidance

<https://www.doe.mass.edu/covid19/on-desktop/2021-0730fall-2021-covid19-guidance.pdf>

## VANDALISM

The School Committee recognizes that acts of vandalism committed against public and private property are costly and require positive action through educational programs. Consequently, the School Committee will support various programs aimed at reducing the amount of vandalism.

Every citizen of the city, staff members, students, and members of the police department are urged by the School Committee to cooperate in reporting any incidents of vandalism to property under control of the school department, and the name(s) of the person or persons believed to be responsible. Each employee will report to the Principal of the school every incident of vandalism known to ~~him/her~~ **them** and, if known, the names of those responsible.

The Superintendent is authorized to sign a criminal complaint and to press ~~the~~ charges against perpetrators of vandalism against school property, and is further authorized to delegate, as ~~he/she~~ **they** sees fit, authority to sign such complaints and to press charges.

Parents/**guardians** and students will be made aware of the legal implications involved. Reimbursement will be sought for all or part of any damages.

## SECURITY CAMERAS IN SCHOOLS

The School Committee works to maintain a safe and secure environment for its students, staff, visitors, and facilities. Security means more than having locks and making certain that doors are locked at the proper times. Security also means minimizing fire hazards, reducing the possibility of faulty equipment, keeping records and valuables in a safe place, protection against vandalism and burglary, the prosecution of vandals, and developing crisis plans.

School facilities and their contents, constitute one of the greatest investments of the community. The School Committee believes it to be in the best interest of students and taxpayers for the district to exert every reasonable means to protect the investment adequately.

In pursuit of this objective, the School Committee authorizes the use of security cameras in school district buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism and other negative behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property. Security cameras may be used in locations as deemed appropriate by the Superintendent of Schools in consultation with school officials as well as local law enforcement and emergency response agencies. They may be used in any area, inside or outside of school buildings where there is no reasonable expectation of privacy.

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time. Students or staff identified on security cameras in violation of School Committee policies will be subject to disciplinary action.

The Superintendent shall ensure that proper procedures are in place and are followed regarding use, viewing, disclosure, retention, disposal and security of video recordings or photographs from security cameras in accordance with applicable laws and regulations. A video recording used for security purposes in school district buildings and/or on school property shall be the sole property of the school district. All video recordings will be stored in their original format and secured to avoid tampering and to ensure confidentiality in accordance with applicable laws and regulations. Access to video recordings from security cameras shall be limited to school administrators (Superintendent/designee, School Principal/designee) ~~law enforcement and emergency response officials~~. **Law enforcement and emergency response officials shall be granted access to video recordings or the security system as the situation requires.**

The Superintendent may, from time to time, issue further guidance that is consistent with current laws and this policy.

## **AUTHORIZED USE OF SCHOOL-OWNED MATERIALS**

The School Committee wishes to be of assistance, whenever possible, to other city departments and community organizations. Therefore, permission to use school equipment may be granted by the Superintendent upon request by responsible parties or organizations.

School equipment may be utilized by staff when the use is related to their school employment, and by students when the equipment is to be used in connection with their studies or extracurricular activities.

~~Proper controls~~ **Procedures** will be established by the Superintendent to assure the user's responsibility for, and return of, all school equipment.

## **STUDENT TRANSPORTATION SERVICES**

The major purpose of the school system's transportation services is to aid students in getting to and from school in an efficient, safe, and economical manner if budgetarily feasible.

The school system will contract for transportation services. The School Committee will award contracts on a competitive bid basis. ~~Bus contractors and taxi contractors,~~ **Bus contractors, 7D contractors and school districts**, who will be held responsible for the safe operation of school buses, will comply with all applicable state laws and regulations, including but not limited to:

1. Specifications for school bus design and equipment
2. Inspection of buses
3. Qualifications and examinations of bus drivers
4. Driving regulations
5. Small vehicle requirements, if applicable
6. Insurance coverage
7. Adherence to local regulations and directives as specified in bid contracts

The Superintendent, working with the bus contractor and other appropriate administrators, will be responsible for establishing bus schedules, routes, stops, and all other matters relative to the transportation program.

LEGAL REFS.: M.G.L. 40:5; 71:7A, B and C; 71:37D; 71:48A; 71:68; 71:71A; 71B:4; 71B:5; 71B:8; 74:8A; 76:1; 76:12Bi; 76:14

CROSS REF.: EEAA, Walkers and Riders

## **SCHOOL BUS SAFETY PROGRAM**

The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation. Safety precautions will include the following:

1. ~~Children~~ **Students** will be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard.
2. Emergency evacuation drills will be conducted at least twice a year to acquaint student riders with procedures in emergency situations.
3. All vehicles used to transport ~~children will meet current state and federal safety inspection requirements~~ **students will be inspected periodically for conformance with state and federal safety requirements.**
4. Classroom instruction on school bus safety will be provided.

LEGAL REFS.: M.G.L. 90:7b as amended by Ch. 246 Acts of 1986  
M.G.L. 90:1 et seq.; 713:2; 713:7L  
Highway Safety Program Standard No. 17

CROSS REF.: EB, Safety Program



## **BUS DRIVER EXAMINATION AND TRAINING**

The School Committee will reserve the right to approve or disapprove persons employed by the bus contractor to drive school transportation vehicles.

1. Courteous and careful drivers will be required.
2. Each driver will file with school officials a medical certificate and proof of freedom from tuberculosis.
3. Only persons who are properly licensed by the state and have completed the driver-training program will be permitted to drive school buses.
4. The contractor will furnish the School District with a list of names of drivers and their safety records for the last three years.
5. The contractor will notify school officials as soon as possible of any change of bus drivers.
6. All bus drivers ~~are required to be Cori compliant~~ **will be subject to a satisfactory CORI and/or background check in accordance with Massachusetts General Laws and School Committee Policy.**

LEGAL REFS.: M.G.L. 90:7B; 90:8A; 90:8A ½

## **DRUG AND ALCOHOL TESTING FOR SCHOOL BUS AND COMMERCIAL VEHICLE DRIVERS**

The District shall adhere to federal law and Department of Transportation regulations requiring a drug and alcohol-testing program for school bus drivers and commercial vehicle drivers. Such testing will be conducted for five different situations: pre-employment, randomly, following an accident, following an authorization to return to duty, and upon reasonable suspicion that a driver is under the influence of alcohol or using drugs.

The District will comply with Department of Transportation protocols regarding the collection and testing necessary to establish whether alcohol or drugs are present in the driver's system, and regulations will be established for the steps to be taken in the event that test results are positive.

This program shall comply with the requirements of Federal law and regulations. The Superintendent or designees shall adopt and enact procedures consistent with the federal regulations, defining the circumstances and procedures for testing.

LEGAL REFS.:       49 U.S.C. sec. 2717 et seq. (Omnibus Transportation Employee Testing Act of 1991)  
                          49 C.F.R. Part 40 Procedures for Transportation Workplace and Drug and Alcohol Testing Programs  
                          49C.F.R. Part 382 Controlled Substance and Alcohol Use and Testing  
                          49 C.F.R. Part 391 Qualification of Drivers

## **STUDENT CONDUCT ON SCHOOL BUSES**

The School Committee and its staff share with students and parents/**guardians** the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents/**guardians** of ~~children~~ **students** whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their ~~children~~ **students** face the loss of transportation privileges in accordance with regulations approved by the School Committee.

~~Please see Policy JICB for specific Student Conduct expectations.~~

**CROSS REF.: JICB Student Conduct on School Buses**



## **Section F - Facilities**

FA – Facilities Development Goals

The two versions of the policy match. Minor wording fix.

FF – Naming New Facilities

The Newburyport version has an additional sentence in the second paragraph related to delegating authority to the NEF. **This has been referred to legal counsel for review.**

# Newburyport Public School District Policies

*Proposed Revisions to*

## **Section F: Facilities Development**

*for Second Reading on October 4, 2023*

*EDITED VERSION (with changes tracked)*

**Insertions shown in BOLD (or as otherwise noted)**

**Deletions shown in ~~Strikethrough~~**

## **FACILITIES DEVELOPMENT GOALS**

The School Committee believes that educational ~~program~~ **programming** is influenced greatly by the environment in which it functions. The development of a quality educational program and of school facilities that help implement that program must go hand in hand.

Therefore, it is the Committee's goal to provide the facilities needed for the number and educational requirements of students in the school system and to provide the kind of facilities that will best support the educational program. To best use local resources, it is the Committee's intent, wherever possible, to partner with the Massachusetts School Building Authority.

Recognizing that school facilities are long-term community investments, the Committee will develop projects that reflect cost-effective designs, are consistent with good engineering practice, and use high quality construction, with attention to current and future technological practices for students, faculty, and school staff. Sites will be chosen to meet the educational need, maximize the use of any available community resources, and minimize any possible adverse education, environmental, social, or economic impacts on the community.

LEGAL REFS.:       M.G.L. 70B  
                          963 CMR 2.00

## **SECTION G PERSONNEL**

### **GBA – Equal Employment Opportunity**

The list of protected classes is broader in the MASC version. It matches the list in the nondiscrimination policy in Section A.

### **GBEA – Staff Ethics/Conflict of Interest**

The policies match, except for a wording difference.

### **GBEB – Staff Conduct**

The Newburyport version has additional language which can be removed and added to the personnel handbook. The legal references need updating.

### **GBEBC – Gifts to Staff and Solicitations by Staff**

The versions match except for updated cross references in the MASC version.

### **GBEBD – Online Fundraising and Solicitations – Crowdfunding [HOLD FOR REVIEW BY FINANCE SUBCOMMITTEE]**

The two versions do not match. Referred MASC version to Finance Subcommittee for review.

### **GBEC (GEBC) – Drug-Free Workplace Policy**

The Newburyport version has some additional language in the last bullet, which would be appropriate to keep. The MASC version updated the legal reference. Coding needs to be corrected.

### **GBED – Tobacco Use on School Property by Staff Members Prohibited**

The MASC version has some additional cross references, otherwise the versions match.

### **GBGB – Staff Personal Security and Safety**

The versions match, except for a legal reference in the Newburyport versions which has been repealed.

### **GBGE – Domestic Leave Policy**

The versions match, except for the legal reference. The highlighted one in the Newburyport version can be removed. It is updated with 149:52E.



#### GBI – Staff Participation in Political Activities

The MASC version is updated to include ballot initiatives. It also has an additional sentence regarding students.

#### GBJ – Personnel Records

The two versions of the policy match. Some wording updates recommended.

#### GCA – Professional Staff Positions

There is some additional language in the first sentence of the second paragraph of the MASC version.

#### GCBA – Professional Staff Salary Schedules

The MASC version has been updated to combine Principals and Administrators.

#### GCBB – Employment of Principals

The versions match except for a wording difference and an additional cross reference in the MASC version.

#### GCBC – Professional Staff Supplementary Pay Plans

The versions match except for a wording difference.

#### GCE - Professional Staff Recruiting/Posting of Vacancies

The policies match except for some wording differences.

#### GCF – Professional Staff Hiring

The Newburyport version has an additional sentence which is not in the MASC version at the end of the first paragraph of the Newburyport version. The Newburyport version uses the term “certification” rather than “licensure.” The list of protected classes is expanded in the MASC version.

#### GCIA – Philosophy of Staff Development

The MASC version was recently updated to remove the last two bullets. These items, if available, would generally be included in the CBA.

#### GCJ – Professional Teacher Status

Wording updates.

#### GCK – Professional Staff Assignments and Transfers

The MASC version updates some language according to current terms of art.

#### GCQF – Suspension and Dismissal of Professional Staff Members

There is an additional bullet in the MASC version which is not in the Newburyport version.

#### GCRD – Tutoring for Pay

There is a wording difference in the fourth paragraph. The MASC version has an additional sentence regarding tutoring in the school building.

# **Newburyport Public School District Policies**

*Proposed Revisions to*

## **Section G: Personnel**

*for Second Reading on October 4, 2023*

*EDITED VERSION (with changes tracked)*

**Insertions shown in BOLD (or as otherwise noted)**

**Deletions shown in ~~Strikethrough~~**

**~~EQUAL EMPLOYMENT OPPORTUNITY~~**

~~The School Committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the District who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race, color, religion, national origin, sex, gender identity, sexual orientation, age, genetic information, ancestry, military status, pregnancy or pregnancy related conditions, or disability. We believe that embracing and celebrating our differences enriches the quality of the work experience and enhances our own personal and professional relationships. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.~~

~~LEGAL REFS.: M.G.L. 151B:4;  
BESE Regulations 603 CMR 26:00~~

~~CROSS REF.: AC, Nondiscrimination~~

## UPDATED POLICY

File: GBA

### EQUAL EMPLOYMENT OPPORTUNITY

The School Committee subscribes to the principle of the dignity of all people and of their labors. Any individual who is responsible for hiring and/or personnel supervision must understand that applicants are employed, assigned, and promoted without regard to their race\*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit, and ability.

\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REF.: M.G.L. 151B:4;  
603 CMR 26:00  
Acts of 2022, Chapter 117 -  
<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

CROSS REF.: AC, Nondiscrimination

## STAFF ETHICS / CONFLICT OF INTEREST

The School Committee 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 school system.

No employee of the Newburyport Public Schools 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~~ their duties and responsibilities in the school system. Nor will any staff member engage in any type of private business during school time or on school property.

Employees will not engage in ~~work~~ **outside employment** of any type where information concerning customer, client, or employer originates from any information available to them through school 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/her.

Every 2 years, all current employees, including School Committee members, must complete the State Ethics Commission's online training. New employees must complete this training within 30 days of beginning employment and every 2 years thereafter. Upon completing the program, employees should print out the completion certificate and keep a copy for themselves. Employees will be required to provide a copy of the completion certificate to the municipal or district Clerk through the Superintendent's office. Employees will receive and sign-off on the ethics summary on a yearly basis.

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School Committee and the Municipal or District Clerk at least two weeks prior to executing the hiring in accordance with the law.

LEGAL REFS.: M.G.L. 71:52; 268A:1 et seq.

## STAFF CONDUCT

All staff members have a responsibility to familiarize themselves with and abide by the laws and regulations of the State as these affect their work, the policies of the School Committee, the Clipper Values, and the procedures designed to implement them.

In the area of personal conduct, the School Committee expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school system but also sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

~~Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:~~

- ~~1. Faithfulness and promptness in attendance at work.~~
- ~~2. Support and enforcement of policies of the School Committee and their implementing procedures and school rules in regard to students.~~
- ~~3. Diligence in submitting required reports promptly at the times specified.~~
- ~~4. Care and protection of school property.~~
- ~~5. Concern for and attention to their own and the school system's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.~~
- ~~6. Adherence to the Clipper Values of Respect, Kindness, Innovation, Perseverance, Responsibility and Reflection.~~

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

## GIFTS TO AND SOLICITATIONS BY STAFF

### Gifts

The acceptance of gifts worth \$50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in his or her public role, violates the conflict of interest law. Acceptance of gifts worth less than \$50, while not prohibited by the conflict of interest law, may require a written public disclosure to be made.

In keeping with this policy, no employee of the school district will accept a gift worth \$50 or more that is given because of the employee's public position, or anything that the employee could do or has done in ~~his/her~~ their public position. Gifts worth less than \$50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of \$20 value is the same as 1 gift of \$80 if given in the same calendar year).

In general, homemade gifts without retail value are permissible because a reasonable person would not expect an employee would unduly show favor to the giver, so no disclosure is required. Such gifts could include homemade food items (cookies, candy, etc), handpicked flowers, and handmade gifts worth less than \$10 (ten) dollars.

### Class Gifts

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

### Gifts for School Use

Gifts given to a teacher solely for classroom use or to purchase classroom supplies are not considered gifts to an individual employee and are not subject to the \$50 limit. However, an employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

### Solicitations

In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support. However, the solicitation of funds from staff members through the use of school personnel and school time is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members. Staff members, of course, remain free to support charitable causes of their own selection.



930 CMR 5.00

CROSS REFS.:

KHA, Public Solicitations in the Schools

JP, Student Donations and Gifts

**GBEBD, Online Fundraising and Solicitations – Crowdfunding**

**KCD, Public Gifts to Schools**

## DRUG FREE WORKPLACE

The School District will provide a drug-free workplace and certifies that it will:

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, is prohibited in the District's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the District's policy of maintaining a drug-free work-place; and available drug counseling, rehabilitation, and employee assistance programs; and the penalty that may be imposed on employees for drug abuse violations occurring in the workplace.
3. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.
4. Notify the employee in the required statement that as a condition of employment under the grant, the employee will abide by the terms of the statement, and will notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
5. Notify the federal agency within ten days after receiving notice from an employee or otherwise receiving notice of such conviction.
6. Take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted; take appropriate personnel action against such an employee, up to and including termination; or require such employee to participate satisfactorily 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.
7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy up to and including referrals to appropriate agencies that offer employee assistance.

LEGAL REFS.: **41 USC 81** ~~The Drug-Free Workplace Act of 1988~~

CROSS REFS.: IHAMB, Teaching about Alcohol, Tobacco and Drugs  
JICH, Drug and Alcohol Use by Students

## **TOBACCO USE ON SCHOOL PROPERTY BY STAFF PROHIBITED**

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel, is prohibited at all times.

Staff members who violate this policy will be referred to their immediate supervisor.

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

**CROSS REFS.:** **ADC, Tobacco Products on School Premises Prohibited**  
**JICH, Alcohol, Tobacco and Drug Use by Students Prohibited**

## **STAFF PERSONAL SECURITY AND SAFETY**

Through its overall safety program and various policies pertaining to school personnel, the School Committee will seek to assure the safety of employees during their working hours and assist them in the maintenance of good health.

The Superintendent may require an employee to submit to a physical examination by a physician appointed by the school system whenever that employee's health appears to be a hazard to children or others in the school system or when a doctor's certificate is legally required to verify need for sick leave.

School employees, their families and members of their household are eligible to use the confidential services provided by the municipality's employee assistance program,

LEGAL REFS.: M.G.L. 71:54; ~~71:55B~~; 71:55C

CROSS REFS.: EB, Safety Program

## DOMESTIC VIOLENCE LEAVE POLICY

It shall be the policy of the school district to permit an employee to take up to 15 days of domestic violence leave from work in any 12 month period. In order to be eligible for said leave:

- (i) the employee , or a family member of the employee must be a victim of abusive behavior
- (ii) the employee must be using the leave from work to seek or obtain medical attention, counseling victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
- (iii) the employee must not be the perpetrator of the abusive behavior against such employee's family member.

The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement.

Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required. If such imminent danger exists the employee shall notify the employer within 3 workdays that the leave was taken. The notification may be communicated to the employer by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior. If an unscheduled absence occurs, an employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) below. An employer may require documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave is consistent with clauses (i) to (iii) as above referenced; provided, however, that an employer shall not require an employee to show evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. The documentation shall be provided to the employer within a reasonable period after the employer requests it.

An employee shall satisfy this documentation requirement by providing anyone of the following documents to the employer:

- 1) a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;
- 2) a document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;
- 3) A police report or statement of a victim or witness provided to police documenting the abusive behavior;
- 4) documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt ; or has been convicted of , or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;

- 5) medical documentation of treatment as a result of the abusive behavior;
- 6) a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, , shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior;
- 7) a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

- (i) requested or consented to, in writing, by the employee;
- (ii) ordered to be released by a court of competent jurisdiction;
- (iii) otherwise required by applicable federal or state law;
- (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
- (v) necessary to protect the safety of the employee or others employed at the workplace.

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the district's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employees signature acknowledging receipt of the handbook/notice. The Superintendent shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that he/she deems appropriate.

No employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, he/she shall be entitled to restoration to the employee's original job or to an equivalent position. Definitions of 'abuse', "abusive behavior", "domestic violence", "employees" and "family members" may be found in the laws referenced below.

LEGAL REF.: M.G.L. 149:52E; ~~Section 10 Chapter 260 of the Acts of 2014~~

**~~STAFF PARTICIPATION IN POLITICAL ACTIVITIES~~**

~~The School Committee recognizes that employees of the school system have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office and holding an elective or appointive office.~~

~~In connection with campaigning, an employee will not: use school system facilities, equipment or supplies; discuss his/her campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Under no circumstances will students be pressured into campaigning for any staff member.~~

~~LEGAL REF.: M.G.L. [55](#); [71:44](#)~~

**UPDATED POLICY**

File: GBI

**STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

The School Committee recognizes that employees of the school district have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office or ballot initiatives and holding an elective or appointive office.

In connection with campaigning, an employee will not: use school district facilities, equipment or supplies; discuss their campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Public employees are prohibited under state law from soliciting funds for political campaigns.

Under no circumstances, will students be pressured into campaigning for any staff member.

LEGAL REF.: M.G.L. 55:11-13; 71:44



## PERSONNEL RECORDS

Information about staff members is required for the daily administration of the school system, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the School Committee's education reporting requirements. To meet these needs, the Superintendent will implement a comprehensive and efficient system of personnel records maintenance and control under the following guidelines:

1. A personnel folder for each present and former employee will be accurately maintained in the central administrative office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, payroll deductions, evaluations, and any other pertinent information.
2. The Superintendent will be the official custodian for personnel files and will have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law.
3. Personnel records are considered confidential under the law and will not be open to public inspection. Access to personnel files will be limited to persons authorized by the Superintendent to use the files for the reasons cited above.
4. Each employee will have the right, upon written request, to review the contents of ~~his~~**their** own personnel file.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include ~~his/her~~**their** written response in the file.
6. Lists of school system employees' names and home addresses will be released only to governmental agencies as required for official reports or by the laws.

LEGAL REFS.: Family Educational Rights and Privacy Act, Sec. 438, P.L. 90-247  
Title IV, as amended  
88 Stat. 571-574 (20 U.S.C. 1232g) and regulations  
M.G.L. 4:7; 71:42C  
All collective agreements

CONTRACT REF.: All Agreements

CROSS REF.: KDB, Public's Right to Know

## **PROFESSIONAL STAFF POSITIONS**

All professional staff positions in the school system will be created initially by the School Committee. It is the School Committee's intent to activate a sufficient number of positions to accomplish the school system's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the School Committee may abolish a position it has created.

Each time a new position is established by the School Committee, **or an existing position is modified**, the Superintendent will present for the School Committee's approval a job description for the position, which specifies the jobholder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

~~PROFESSIONAL STAFF SALARY SCHEDULES~~

Teachers

~~The School Committee will adopt a salary schedule for regular teaching personnel as part of the contract negotiated with the teachers' bargaining unit. The schedule will be designed to recognize and reward training and experience and encourage additional study for professional advancement.~~

Principals

~~Salaries will be reviewed annually prior to July 1. The School Committee, with the advice of the Superintendent, will establish levels of compensation for each position based on the circumstances, dynamics, and requirements of each position. Consideration may be given to individuals for exceptional performance as a basis for establishing merit increases for Principals. It is the responsibility of the Superintendent to present evidence to the School Committee to support recommendations for salary increases.~~

Administrators

~~Salaries will be reviewed annually prior to July 1. The Superintendent may, upon the request of the School Committee, survey other school systems to determine salaries being paid for comparable positions in each system. The survey will include the effective date of the specified salary.~~

LEGAL REFS.: ~~—~~ M.G.L. [71:40](#); [71:43](#)

CONTRACT REF.: ~~—~~ Teachers' Agreement

**PROFESSIONAL STAFF SALARY SCHEDULES**

Teachers

The School Committee will adopt a salary schedule for regular teaching personnel as part of the contract negotiated with the teachers' bargaining unit. The schedule will be designed to recognize and reward training and experience and encourage additional study for professional advancement.

Principals and Administrators on Individual Contracts

Salaries will be reviewed annually prior to July 1. The School Committee, with the advice of the Superintendent, will establish levels of compensation for each position based on the circumstances, dynamics, and requirements of each position. It is the responsibility of the Superintendent to present evidence to the School Committee to support recommendations for salary increases.

LEGAL REFS.: M.G.L. 71:40; 71:43

CROSS REF.: GCBB, Employment of Principals

CONTRACT REF.: Teachers' Agreement

## **EMPLOYMENT OF PRINCIPALS**

Principals shall be employed by the School District under individual contracts of employment. Said contracts shall be submitted to the School Committee for their approval of all terms concerning compensation/benefits, prior to the presentation of a contract of employment to the Principal. The compensation/benefit levels, above referenced, may be exceeded only with the approval of the School Committee.

Initial contracts issued to Principals may be up to three years in length and may be reissued by the Superintendent at levels of compensation/benefits, determined by the School Committee, provided that the Superintendent may employ a Principal under the terms and conditions of the previous contract of employment.

The length of second and subsequent contracts of employment for Principals shall be in accordance with state law.

As a condition of employment, each Principal must maintain current ~~certification~~ licensure, adhere to the policies and goals of the School Committee and the directives of the Superintendent, and annually must submit, with the school council, the educational goals and school improvement plan for the school building(s) under ~~his/her~~ **their** direction.

LEGAL REF: MGL [71:41](#); [71:59B](#)

**CROSS REF.:** GCBA, Professional Staff Salary Schedules

## **PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS**

Certain assignments require extra responsibility or extra time over and above that required of other staff members who are on the same position on the basic salary schedule. When such supplemental assignments require extra time and responsibility beyond that regularly expected of teachers, they ~~will~~ **may** be rewarded with extra compensation.

Assignments that are to be accorded extra compensation will be designated by the School Committee. Appointments to these positions will be made by the Superintendent for District-wide positions or by the Principal with the approval of the Superintendent for building based personnel. The amount of compensation for the position will be established by the School Committee at the time the position is created.

A teacher who is offered and undertakes a supplementary pay assignment will receive a supplementary contract specifying the pay, duration and terms of the assignment. If a teacher will not be extended the assignment for the following school year but will remain on the teaching staff, he or she will be so notified in writing prior to the expiration of the contract. Upon termination of the assignment, the supplementary pay will cease.

LEGAL REF.:           Collective Bargaining Agreement

## **PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES**

It is the responsibility of the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school system and it is the responsibility of the Principal, in consultation with the Superintendent, to determine the personnel needs of the individual schools. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the characteristics of the town and the need for a heterogeneous staff from various cultural backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school system. Any current employee may apply for any position for which ~~he or she has certification~~ **they have licensure** and meets other stated requirements.

Openings in the schools will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

LEGAL REFS.:       Collective Bargaining Agreements

## **PROFESSIONAL STAFF HIRING**

~~Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will be based upon awareness to candidates who will devote themselves to the education and welfare of the children attending the schools.~~

~~It is the responsibility of the Superintendent, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the school system and to locate suitable candidates. No position may be created without the approval of the School Committee. The District'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 the children~~

~~It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the School Committee for the type of position for which the nomination is made.~~

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

- ~~1. There will be no discrimination in the hiring process due to race, color, religion, national origin, sex, gender identity, sexual orientation, age, genetic information, ancestry, military status, pregnancy or pregnancy related conditions, or disability.~~
- ~~2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.~~
- ~~3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions, for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal) is directed to establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee, a representative screening committee may be established by the School Committee, or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making his/her recommendation to the School Committee.~~

~~LEGAL REFS.: — M.G.L. [69:6](#); [71:38](#); [71:38G](#); [71:39](#); [71:45](#)  
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  
BESE Regulations 603 CMR [7:00](#), [26:00](#), and [44:00](#)~~



## UPDATED POLICY

File: GCF

### PROFESSIONAL STAFF HIRING

Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. It is the responsibility of the Superintendent, and of persons to whom they delegate this responsibility, to determine the personnel needs of the school district and to locate suitable candidates. No position may be created without the approval of the School Committee. The District'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 the children

It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all licensure requirements and the requirements of the Committee for the type of position in which they will serve.

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

1. There will be no discrimination in the hiring process due to race\*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law..
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions, for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal) is directed to establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee, a representative screening committee may be established by the School Committee, or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making their recommendation to the School Committee.

\*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45  
603 CMR 7:00, 26.00, and 44:00  
Acts of 2022, Chapter 117

## **PHILOSOPHY OF STAFF DEVELOPMENT**

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

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

1. Planned in-service programs and workshops offered within the school system from time to time; these may include participation by outside consultants.
2. Membership on curriculum development committees drawing personnel from within and without the school system.
3. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings.
- ~~4. Leaves of absence for graduate study, research, and travel.~~
- ~~5. Partial payment of tuition for approved courses.~~

The Superintendent will have authority to approve or deny released time for conferences and visitations and reimbursements for expenses, provided such activities are within budget allocations for the purpose.

## **PROFESSIONAL TEACHER STATUS**

The Superintendent, upon recommendation of the Principal, may award such status to a teacher who has served in the Principal's school for not less than one year or a teacher who has obtained such status in any other public school district in the Commonwealth. The Superintendent will base ~~his/her~~ **their** decisions on the results of evaluation procedures conducted according to School Committee policy.

At the end of each of the first three years of a teacher's employment, it will be the responsibility of the Superintendent to notify each employee promptly in writing of the decision on reappointment. Notification to a teacher not being reappointed must be made by June 15 or at an earlier date if required by a collective bargaining agreement.

A teacher who attains professional teacher status will have continuous employment in the service of the school system subject to satisfactory evaluations. A teacher with professional teacher status whose position is abolished by the School Committee may be continued in the employ of the school system in another position for which he/she is legally qualified.

Nothing in these provisions will be considered as restricting the Superintendent from changing teaching assignments or altering or abolishing supervisory assignments except that, by law, no teacher may be assigned to a position for which he/she is not legally qualified.

LEGAL REFS.: M.G.L. 71:38; 71:38G; 71:38H; 71:41; 71:42; 71:43

## **PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS**

The basic consideration in the assignment of professional staff members will be the needs of the students and the instructional program.

Therefore, the assignment and transfer of professional staff members will be accomplished by the Superintendent on the basis of the employee's qualifications, the needs of the school system, and the employees' expressed desires.

Care will be exercised by the Superintendent to assure that all schools are staffed with ~~effective~~**highly qualified** teachers.

Within an individual school, the building administrator will have the authority to assign classes and courses, provided this is done with full regard for the teacher's area of ~~certification~~**licensure** and the policies delineated above.

CONTRACT REF.:            Teachers' Agreement

## **SUSPENSION AND DISMISSAL OF STAFF MEMBERS**

The Superintendent will strive to assist personnel to perform their duties efficiently. However, the Superintendent may dismiss any employee in accordance with state law and negotiated agreement. Further, the School Committee recognizes the constitutional rights of the District's employees and assures them the protection of due process of law. To guarantee such rights, a system of constitutionally and legally sound procedures will be followed in each case of suspension or dismissal of an employee.

When the Superintendent or a Principal determines that sufficient cause exists that an employee be suspended or dismissed from service in the school system, he or she will:

1. Be certain that each such case is supported by defensible records.
2. Determine if the individual is to be suspended immediately with the understanding that the suspension will be subject to restoration of salary and position if an appeal is decided in favor of the individual.
3. **Follow the procedures for dismissal or suspension that are contained in applicable laws as well as those included in the current agreement with the teachers' bargaining unit.**
4. Provide the individual involved with a written statement that will:
  - a. Indicate whether the action the Superintendent is taking is dismissal or suspension.
  - b. State the reason for the suspension or dismissal.
  - c. Guarantee that all procedures will be in accordance with due process of law.
  - d. Inform employees who have a right to request a hearing under appropriate laws that they may be represented at such a hearing by counsel of their choice.

LEGAL REFS.: M.G.L. 71:42; 71:42D

## TUTORING FOR PAY

Definition: "Tutoring" means giving private instruction or help to an individual or group for which the teacher receives remuneration other than through the School Committee.

A teacher cannot recommend that one of his or her own students get tutoring, and then be paid to tutor that same student in a second job.

A teacher may not tutor students who are currently in his/her class. Even if the teacher does not recommend that the current student receive private tutoring, the teacher should not tutor current students.

Teachers and other public employees may not approach a student, or the student's parents, seeking private tutoring work. A teacher may provide tutoring when the relationship is initiated by the parent/**guardians** or a student, but, if the student is, or in the future may be, under the teacher's authority, the teacher will need to provide a written disclosure.

A teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. Schools cannot send home brochures for a particular tutoring service with the children.

Tutoring is not to be recommended for a student unless the appropriate teacher of the student involved is consulted and agrees that it will be of real help. If tutoring seems advisable, the Principal may give the parents a list of persons who are willing to tutor. This list may include teachers, but not the student's teacher of the subject in which he or she is to be tutored.

**Tutoring for pay is not to be done in the school building.**

NOTE: A teacher cannot tutor in their own district if the district is going to pay for the tutoring unless the district has included a provision in the teachers' collective bargaining agreement providing a set amount of extra pay for tutoring by teachers that will be included in the teachers' regular paychecks.

LEGAL REF: M. G. L. [268A](#) Mass. Ethics Commission FAQs for Public School Teachers

## **SECTION H NEGOTIATIONS**

### HA – Negotiations Goals

The policies match except for a legal reference in the MASC version which is not in the Newburyport version.

### HB– Negotiations Legal Status

The Newburyport version quoted the section of the law regarding employees and the MASC version quoted the section regarding employers. Updated to reference both.

### HF – School Committee Negotiating Agents

The policies match except for updating pronouns in the Newburyport version.

# **Newburyport Public School District Policies**

*Proposed Revisions to*

## **Section H: Negotiations**

*for Second Reading on October 4, 2023*

*EDITED VERSION (with changes tracked)*

**Insertions shown in BOLD (or as otherwise noted)**

**Deletions shown in ~~Strikethrough~~**



## **NEGOTIATIONS GOALS**

The School Committee recognizes that education is a public trust; it therefore is dedicated to providing the best possible educational opportunities for the young people of this community. In negotiations, this objective may be best attained if there is a climate of mutual trust and understanding between the negotiating parties.

The School Committee believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the School Committee and representatives of the staff to discuss matters of common concern.

It is further recognized that nothing in negotiations will compromise the School Committee's legal responsibilities nor will any employee's statutory rights and privileges be impaired.

**LEGAL REF:**                    **M.G.L. 150E**

## NEGOTIATIONS LEGAL STATUS

All negotiations between the School Committee and recognized employee groups are conducted subject to Massachusetts General Laws. The legal status of negotiations is defined in part by Sections **1 and 2** of that chapter, as follows:

**“In the case of school employees, the municipal employer shall be represented by the school committee or its designated representative or representatives.” (Section 1)**

" shall have the right of self-organization and the right to form, join, or assist any employee organization for the purpose of bargaining collectively through representatives of their own choosing on questions of wages, hours, and other terms and conditions of employment, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint, or coercion. An employee shall have the right to refrain from any or all of such activities, except to the extent of making such payment of service fees to an exclusive representative as provided in section twelve." **(Section 2)**

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the School Committee and employee organizations to bargain in good faith as they conduct negotiations. However, such obligation does not compel either party to agree to a proposal or make a concession.

LEGAL REF.: M.G.L. 150E:1 et seq.

## SCHOOL COMMITTEE NEGOTIATING AGENTS

The School Committee is responsible for negotiations with recognized employee bargaining units. However, because of the expertise and time required for negotiations, the Committee may hire a negotiator to bargain in good faith with recognized bargaining units to help assure that mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed.

The School Committee will appoint the negotiator and the fee or salary for ~~his~~**their** services will be established in accordance with the law at the time of appointment.

The duties of the negotiator will be as follows:

1. To negotiate in good faith with recognized bargaining units to arrive at a mutually satisfactory agreement on wages, hours, and working conditions of employees represented by the units.
  - a. The negotiator may recommend members of the administration to serve on the negotiation team. They will not be members of any unit that negotiates with the Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Committee.
  - b. ~~He/she~~ **They** will direct accumulation of necessary data needed for negotiations, such as comparative information.
  - c. ~~He/she~~ **They** will follow guidelines set forth by the Committee as to acceptable agreements and will report on the progress of negotiations.
  - d. ~~He/she~~ **They** will make recommendations to the Committee as to acceptable agreements.
2. The negotiator will interpret the signed negotiated contracts to administrators and may be called upon to offer advice on various aspects of contract administration during the terms of the contracts with employee organizations.

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