

The following items will be discussed at the meeting of the Standing Committee on Governance and Employee Issues to be held Monday, March 13, 2017 at 6:00 p.m. in Room 410 at the Durkin Administration Building:

gb #5-195 - Mr. O'Connell/Mr. Monfredo/Miss Biancheria (July 23, 2015)

To review the Worcester Public Schools' Incident Report for the 2014-15 academic year.

gb #5-246 - Mr. Monfredo/Miss Ramirez/Mr. Foley/Mr. O'Connell/Miss Biancheria (September 14, 2015)

Request that the School Committee support a bill, submitted by State Senator Jennifer Flanagan, that addresses ways of dealing with Opioid addiction such as school drug screening called "Screening, Brief Intervention and Referral to Treatment" or SBIRT.

gb #6-144 - Mr. O'Connell/Mr. Foley/Ms. Colorio/Mr. Monfredo/Miss Biancheria/Miss McCullough/Mayor Petty (April 4, 2016)

To update Worcester Public Schools' policies regarding substance abuse prevention and education, and to post the updated policies on the Worcester Public Schools website, in compliance with Chapter 71, Section 96 of the Massachusetts General Laws.

gb #6-276 - Administration (July 28, 2016)

To consider necessary policy changes concerning the implementation of the recently enacted Bill relative to Substance Use, Treatment, Education and Prevention and review the policy developed by the Massachusetts Association of School Committees.

(These items were considered together.)

gb #5-291 - Mr. Monfredo/Miss Biancheria/Mr. Foley (October 19, 2015)

Request that the School Committee review the policy on cell phones and gather information from all secondary principals.

c&p #6-1 - Clerk (February 16, 2016)

Annex A (1 page)
Annex B (1 page)

To consider a communication from a citizen regarding a:

- request that Worcester's public high schools host a contest for students to design a banner to mount on the telephone poles/street lights near their schools and
- request that the School Committee's videos be archived on the City's website

c&p #6-7 - Clerk (August 24, 2016)

Annex A (1 page)
Annex B (1 page)

To consider a communication from a citizen expressing an interest in promoting civic engagement in the Worcester Public Schools by initiating a "Municipal Governance Day" which would give high school students an opportunity to learn how the municipal government works.

c&p #6-8 - Clerk (August 24, 2016)

Annex A (1 page)
Annex B (1 page)

To consider a communication from a citizen relative to the feasibility of holding an event annually with a guest speaker to encourage eligible students to register to vote.

gb #6-36 - Mr. O'Connell/Mr. Monfredo/Miss McCullough (January 11, 2016)

Annex A (37 pages)
Annex B (35 pages)

To establish a Special Committee, consisting of at least three School Committee members, to continue the review of policies proposed for the Worcester Public Schools by the Massachusetts Association of School Committees.

gb #6-271 - Mr. Monfredo/Mr. O'Connell/Ms. Colorio/ Miss McCullough/Miss Biancheria/Mayor Petty (July 21, 2016)

Annex A (1 page)

Request that the Administration consider including training in the Heimlich maneuver as part of the Compression CPR Program and review the Heimlich Heroes Program, which was created by Deaconess Associations, Inc. (DAI) with the support from the Heimlich Institute, for possible implementation in the Worcester Public Schools.

ITEM: gb #5-195

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Mr. O'Connell/Mr. Monfredo/Miss Biancheria (July 23, 2015)

To review the Worcester Public Schools Incident Report for the 2014-15 academic year.

PRIOR ACTION:

8-20-15 - Referred to the Standing Committee on Governance and Employee Issues.

BACKUP:

Since this item was discussed at the full School Committee meeting, the Administration recommends that the item be filed.

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Mr. Monfredo/Miss Ramirez/Mr. Foley/Mr. O'Connell/Miss Biancheria
(September 14, 2015)

Request that the School Committee support a bill, submitted by State Senator Jennifer Flanagan, that addresses ways of dealing with Opioid addiction such as school drug screening called "Screening, Brief Intervention and Referral to Treatment" or SBIRT.

PRIOR ACTION:

- 10-1-15 - Referred to the Standing Committee on Governance and Employee Issues.
Mr. Monfredo requested that Dr. McGovern and a representative from the Department of Public Health be invited to the meeting of the Standing Committee on Governance and Employee Issues when the item is discussed.
Mr. Monfredo made the following motion:
Request that the Administration request a copy of the report regarding Opioids from the City and provide it as part of the backup for the item.
On a voice vote, the motion was approved.
Ms. Novick announced that the amended bill regarding Opioid addiction passed the Senate and requested that the Administration seek a copy of the amended bill which will be moved to the House.
Ms. Novick requested that if a screening of all 7th and 10th grade students is required by the nurses that an estimated cost be provided in the backup when the item is discussed.

BACKUP:

Since the Bill has passed and the Administration is implementing it, it recommends that the item be filed.

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Mr. Monfredo/Miss Biancheria/Mr. Foley (October 19, 2015)

Request that the School Committee review the policy on cell phones and gather information from all secondary principals.

PRIOR ACTION:

- 11-5-15 - Referred to the Standing Committee on Governance and Employee Issues.
Mr. Monfredo made the following motion:
Request that the Administration seek input regarding the cell phone policy from teachers, through the EAW, administrators at the secondary level and from students on the Superintendent's Student Advisory Council.
On a voice vote, the motion was approved.
- 4-26-16 - **STANDING COMMITTEE ON GOVERNANCE AND EMPLOYEE ISSUES**
A group of secondary principals attended the meeting to discuss possible changes to the cell phone policy.
Some of the suggestions made included:
- creation of three separate policies for elementary, middle and secondary schools
 - retention of cell phones in lockers for middle school students
 - delineate ways to use cell phones in an appropriate way for 21st century learning at the high school level
 - restrictions for video and audio
 - access to well defined professional use of cell phones
 - restrictions relative to computer watch use
 - proper phone etiquette early, perhaps in 6th grade
- (Continued on page 2.)

BACKUP: Based on the positive responses from the secondary principals, the Administration is not recommending any changes to the current policy.

PRIOR ACTION (continued)

4-26-16 - Miss Biancheria indicated that the amended cell phone policy (continued) should be included in the 2016-17 Policies Handbook. The following principals volunteered to serve on a committee to develop proposed elementary, middle and high school cell phone policies:

Mr. Peter Bowler	Mr. Ricci Hall
Mrs. Lisa Dyer	Mrs. Houlihan
Mr. William Foley	Mr. Whalen

The committee should forward the proposed policies to the School Committee Office on or before, May 11, 2016 for presentation at the Standing Committee on Governance and Employee issue.

4-28-16 - SCHOOL COMMITTEE MEETING - The School Committee approved the action of the Standing Committee as amended. A group of secondary principals attended the meeting to discuss possible changes to the cell phone policy. Some of the suggestions made included:

- creation of three separate policies for elementary, middle and secondary schools
- retention of cell phones in lockers for middle school students
- delineate ways to use cell phones in an appropriate way for 21st century learning at the high school level
- restrictions for video and audio
- access to well defined professional use of cell phones
- restrictions relative to computer watch use
- proper phone etiquette early, perhaps in 6th grade

Miss Biancheria indicated that the amended cell phone policy should be included in the 2016-17 Policies Handbook.

The following principals volunteered to serve on a committee to develop proposed elementary, middle and high school cell phone policies:

Mr. Peter Bowler	Mr. Ricci Hall
Mrs. Lisa Dyer	Mrs. Houlihan
Mr. William Foley	Mr. Whalen

The committee should forward the proposed policies to the School Committee Office on or before, May 18, 2016 for presentation at the Standing Committee on Governance and Employee Issues.

Mr. O'Connell stated the system did not need a new policy, revised policy or a watered down policy. What is needed is an effective, consistent enforcement of the current Cell Phone Policy. By policy, the principals require that students put their cell phones in their locker at the beginning of the day and that it remain there during the course of the day and the students take it home at the end of the day.

PRIOR ACTION (continued)

4-28-16 - (continued) The Administration hears periodic arguments about how a cell phone can be useful in school. What is not often addressed is why a cell phone can be a significant problem in school. Everyone knows that it is a distractive device. Students are specifically in school to learn and are not in school to be distracted by whatever other factors interfere with their concentration on learning and their focus on instruction. If the Administration allows students to have cell phones during the day, it serves as an ongoing distraction to the students not only at the elementary and middle school levels but especially at the high level where the academic work is all that more sophisticated. He indicated concern that schools have essentially unfurled the white flag of surrender in terms of enforcing the policy that the system now has in effect. The policy needs to be not just retained but also enforced. He suggested that the Administration needs to send a message to the principals and support our teachers who want to enforce a vigorous policy with regard to no use of cell phones in class.

6-1-16 - This item was held due to a delay in getting it reviewed and approved as to form.

6-9-16 - **STANDING COMMITTEE ON GOVERNANCE AND EMPLOYEE ISSUES**

It was moved and voice voted to approve the following amended Rule 13 Policy to be included in the Policies Handbook:

Rule 13. – Cell Phones, Electronic Devices, and Laser Pointing

Devices While on school premises or at a school sponsored event, a student shall not, without expressed permission of appropriate school personnel, use any cell phone, smart phone, tablet, camera or any other type of electronic device which may potentially be disruptive of school activities or a distraction to students. Electronic devices shall include any cell phone, smart phone, tablet or anything powered by electricity and is suitable for communicating any oral, voice, audio or text messages or postings or for recording or communicating any audio, voice, picture, image or video imagery. Students are not permitted to have their cell phones or electronic devices powered while in school.

PRIOR ACTION (continued)

- 6-9-16 - Use of such devices in violation of this rule may result in disciplinary action including, but not limited to, out-of-school suspension time. The School Administration reserves the right to confiscate cellular phones or other electronic devices when a student is believed to be violating this rule.
- (con't) A student shall not use or possess a laser pointing device of any type on school premises or at a school sponsored event, unless such device is distributed by a teacher or its use is authorized by a teacher in connection with school work. Use of a laser pointing device against the face, eyes, or head of another individual may be considered a weapon for disciplinary purposes including, but not limited to, the possibility of long-term suspension.

Enforcement and Penalties:

This cell phone policy may be enforced by the principal, any teacher (including substitutes) or by any other school official or employee designated by the principal.

Enforcement personnel shall have the right to confiscate any cell phone or electronic device possessed or used in violation of the code of conduct.

Penalties for students found in violation of the policy will be as follows:

- First offense: Student's cell phone/electronic device will be confiscated and returned to the student at the end of the school day.
- Second and subsequent offenses: Student's cell phone/electronic device will be confiscated and returned only to the student's parents or guardians. Any such parent or guardian may, within five days of any such confiscation, request a hearing to determine the validity of the violation of the code of conduct and resulting confiscation of the cell phone/electronic device. In such event the principal shall designate a hearing officer who shall: 1) give the student and/or his or her parents/guardians an opportunity to present their case; 2) hear or review the incident report from the enforcing person and any other person with relevant information; and, 3) provide a recommendation to the principal as to whether there is a reasonable basis to conclude that the cell phone policy of the code of conduct was violated by the student. Regardless of any request for a hearing, any confiscated cell phone/electronic device shall be returned to the parent/guardian at the first opportunity and shall not be dependent on the scheduling or outcome of any hearing.

PRIOR ACTION (continued)

- 6-9-16 - (con't) - Student committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Worcester Public Schools Code of Conduct up to and including suspension from school.

Mr. Monfredo made the following motions:

Request that Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices be reviewed in January for possible amendments, if needed.

Request that the Principals review Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices with students and parents during the first week of school and include it in their newsletters.

On a voice vote, the motions were approved.

- 6-16-16 - SCHOOL COMMITTEE MEETING - The School Committee approved the action of the Standing Committee as amended.

Mr. O'Connell stated that he was opposed to the first paragraph because it clearly allows students to have cell phones within schools. The only violation of the rule is triggered when the cell phone is powered. He further stated that the rule the system should have is one that would not allow cell phones within the schools.

Mr. O'Connell requested to replace the first paragraph of Rule 13 with the current rule Rule 13 first paragraph.

Mr. Monfredo stated that the members of the Standing Committee met with the principals who stated that they did not want to have the cell phones in lockers because they get stolen.

It was moved to approve the following amended Rule 13 Policy to be included in the Policies Handbook:

Rule 13. – Cell Phones, Electronic Devices, and Laser Pointing Devices

While on school premises or at a school sponsored event, a student shall not, without expressed permission of appropriate school personnel, use any cell phone, smart phone, tablet, camera or any other type of electronic device which may potentially be disruptive of school activities or a distraction to students. Electronic devices shall include any cell phone, smart phone, tablet or anything powered by electricity and is suitable for communicating any oral, voice, audio or text messages or postings or for recording or communicating any audio, voice, picture, image or video imagery. Students are not permitted to have their cell phones or electronic devices powered while in school.

PRIOR ACTION (continued)

- 6-16-16 - (con't) Use of such devices in violation of this rule may result in disciplinary action including, but not limited to, out-of-school suspension time. The School Administration reserves the right to confiscate cellular phones or other electronic devices when a student is believed to be violating this rule.
- A student shall not use or possess a laser pointing device of any type on school premises or at a school sponsored event, unless such device is distributed by a teacher or its use is authorized by a teacher in connection with school work. Use of a laser pointing device against the face, eyes, or head of another individual may be considered a weapon for disciplinary purposes including, but not limited to, the possibility of long-term suspension.
- Enforcement and Penalties:
- This cell phone policy may be enforced by the principal, any teacher (including substitutes) or by any other school official or employee designated by the principal.
- Enforcement personnel shall have the right to confiscate any cell phone or electronic device possessed or used in violation of the code of conduct.
- Penalties for students found in violation of the policy will be as follows:
- First offense: Student's cell phone/electronic device will be confiscated and returned to the student at the end of the school day.
 - Second and subsequent offenses: Student's cell phone/electronic device will be confiscated and returned only to the student's parents or guardians. Any such parent or guardian may, within five days of any such confiscation, request a hearing to determine the validity of the violation of the code of conduct and resulting confiscation of the cell phone/electronic device. In such event the principal shall designate a hearing officer who shall: 1) give the student and/or his or her parents/guardians an opportunity to present their case; 2) hear or review the incident report from the enforcing person and any other person with relevant information; and, 3) provide a recommendation to the principal as to whether there is a reasonable basis to conclude that the cell phone policy of the code of conduct was violated by the student. Regardless of any request for a hearing, any confiscated cell phone/electronic device shall be returned to the parent/guardian at the first opportunity and shall not be dependent on the scheduling or outcome of any hearing

PRIOR ACTION (continued)

- 6-16-16 - (con't)
- Student committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Worcester Public Schools Code of Conduct up to and including suspension from school.

On a roll call 6-1 (nay-Mr. O'Connell), the motion was approved.

It was moved to suspend the Rules of the School Committee.

On a roll call of 6-1 (nay-Mr. O'Connell), the motion was approved.

It was moved to reconsider the motion to approve the following amended Rule 13 Policy to be included in the Policies Handbook:

Rule 13. – Cell Phones, Electronic Devices, and Laser Pointing Devices

While on school premises or at a school sponsored event, a student shall not, without expressed permission of appropriate school personnel, use any cell phone, smart phone, tablet, camera or any other type of electronic device which may potentially be disruptive of school activities or a distraction to students. Electronic devices shall include any cell phone, smart phone, tablet or anything powered by electricity and is suitable for communicating any oral, voice, audio or text messages or postings or for recording or communicating any audio, voice, picture, image or video imagery. Students are not permitted to have their cell phones or electronic devices powered while in school.

Use of such devices in violation of this rule may result in disciplinary action including, but not limited to, out-of-school suspension time. The School Administration reserves the right to confiscate cellular phones or other electronic devices when a student is believed to be violating this rule.

A student shall not use or possess a laser pointing device of any type on school premises or at a school sponsored event, unless such device is distributed by a teacher or its use is authorized by a teacher in connection with school work. Use of a laser pointing device against the face, eyes, or head of another individual may be considered a weapon for disciplinary purposes including, but not limited to, the possibility of long-term suspension.

Enforcement and Penalties:

This cell phone policy may be enforced by the principal, any teacher (including substitutes) or by any other school official or employee designated by the principal.

Enforcement personnel shall have the right to confiscate any cell phone or electronic device possessed or used in violation of the code of conduct.

PRIOR ACTION (continued)

- 6-16-16 - Penalties for students found in violation of the policy will be as follows:
(con't)
- First offense: Student's cell phone/electronic device will be confiscated and returned to the student at the end of the school day.
 - Second and subsequent offenses: Student's cell phone/electronic device will be confiscated and returned only to the student's parents or guardians. Any such parent or guardian may, within five days of any such confiscation, request a hearing to determine the validity of the violation of the code of conduct and resulting confiscation of the cell phone/electronic device. In such event the principal shall designate a hearing officer who shall: 1) give the student and/or his or her parents/guardians an opportunity to present their case; 2) hear or review the incident report from the enforcing person and any other person with relevant information; and, 3) provide a recommendation to the principal as to whether there is a reasonable basis to conclude that the cell phone policy of the code of conduct was violated by the student. Regardless of any request for a hearing, any confiscated cell phone/electronic device shall be returned to the parent/guardian at the first opportunity and shall not be dependent on the scheduling or outcome of any hearing.
 - Student committing repeated violations of this policy may be subject to additional disciplinary action, consistent with the Worcester Public Schools Code of Conduct up to and including suspension from school.

On a roll call of 1-6 (yea-Mr. O'Connell), the motion to reconsider was defeated.

Mr. Monfredo made the following motions:

Request that Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices be reviewed in January for possible amendments, if needed.

Request that the Principals review Rule 13. – Cell Phones, Electronic Devices and Laser Pointing Devices with students and parents during the first week of school and include it in their newsletters.

On a voice vote, the motions were approved.

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Clerk (February 16, 2016)

To consider a communication from a citizen regarding a:

- request that Worcester's public high schools host a contest for students to design a banner to mount on the telephone poles/street lights near their schools and
- request that the School Committee's videos be archived on the City's website

PRIOR ACTION:

- 2-25-16 - Referred to the Standing Committee on Governance and Employee Issues.
Ms. Colorio made the following motion:
Request that the Administration ask a representative of the City of Worcester to consider posting the School Committee videos on the City's website, at the request of a student.
On a voice vote, the motion was approved.
- 6-1-16 - Mr. Monfredo made the following motion:
Request that Ms. Timmary Leary work with Worcester Technical High School regarding the design of banners for Worcester's public schools and include the possible design, size and provide a response relative to the idea of seeking corporate sponsors.
On a voice vote, the motion was approved.

BACKUP:

Annex A (1 page) contains a copy of the petition.

Annex B (1 page) contains a copy of the Administration's response to the item.

PRIOR ACTION (continued)

- 9-7-16 - STANDING COMMITTEE ON GOVERNANCE AND EMPLOYEE ISSUES
Mr. Foley requested that the Administration provide recommendations regarding:
- a proposed advertisement on a banner in order to have a uniform format
 - cost analysis for the project and
 - fees for possible sponsorship of banners.
- HOLD.
- 9-15-16 - SCHOOL COMMITTEE MEETING - The School Committee approved the action of the Standing Committee as stated.

To The School Committee of the City of Worcester:

The undersigned, residing in the City of Worcester most respectfully petition your Honorable Board:

<u>NAME</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
<u>Evan Corrigan</u>	<u>11 Arbutus</u>	<u>508-735-5359</u>

Evan C. Corrigan requests that the Worcester's Public High Schools host a contest for students to design a banner to mount on the telephone poles/street lights near their schools.



Evan C. Corrigan requests that the Worcester School committee videos be out on the video archive on the City's website.

FOR ADDITIONAL NAMES, USE A PLAIN SHEET OF PAPER

Standing Committee on Governance and Employee Issues:

#6-1:

A proposed advertisement on a banner in order to have uniform format

- The design of each banner may be completed by a class or a group of students from the graphics department at Worcester Technical High School in order to insure uniformity of design and proper visual composition needed for an outside installation.
- This order would be placed through Robert Mazzone (Graphics Department Chair) at Worcester Technical High School
- The Graphics department does not print on this material or have the capability to make this specific product. They could complete the design for production.

Cost analysis for the project:

- Curry Printing quoted a price of \$17.85 per banner, one color, on outdoor vinyl
- Banners measures 2 feet by 4 feet
- Cost includes grommets on one side
- This cost does not include installation (materials for attachment to light posts, etc.)

Fees for possible sponsorship of banners:

- Community partners or college partners sponsor a school banner and names of partners printed on back of banner

Remaining Questions:

- Would the School Department need a permit to hang each of these banners?
- Who would be responsible for installation? Does this need to be done by the city?
- What is the cost of the installation?
- How many banners would be installed for each school? Is there a location where all banners could be displayed as a group?

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Clerk (August 24, 2016)

To consider a communication from a citizen expressing an interest in promoting civic engagement in the Worcester Public Schools by initiating a "Municipal Governance Day" which would give high school students an opportunity to learn how the municipal government works.

PRIOR ACTION:

- 9-1-16 - Referred to the Standing Committee on Governance and Employee Issues.
Mr. Monfredo made the following motions:
Request that when the item is discussed at the Standing Committee level, that the Administration provide appropriate information as to what schools are now doing regarding governance activities for students.
(Continued on page 2.)

BACKUP:

Annex A (1 page) contains a copy of the communication.
Annex B (1 page) contains a copy of the Administration's response to the item.

PRIOR ACTION (continued)

9-1-16 - Request that the issue of voter registration be part of the discussion
(continued) that takes place at the Standing Committee level and provide options
in terms of registering voters.

Request that the Administration notify the Election Commission regarding this item and welcome its participation with regard to a voter registration initiative in the schools.

On a voice vote, the motions were approved.

Ms. Colorio made the following motion:

Request that when legislators participate in the program that both parties have equal representation.

On a voice vote, the motion was approved.

Miss Biancheria made the following motion:

Request that Mr. Collins be notified when c&p #6-7 and c&p #6-8 are planned to be scheduled so that the meeting can be set up at a time that is convenient to him.

On a voice vote, the motion was approved.

The Superintendent mentioned the following civic engagements that are currently taking place in the Worcester Public Schools:

- A program, conducted by Senator Chandler, in all the high schools yearly, for grades 11 and 12 which involves a representative from the Voter Registration Office who gives the forms to the students in order to register them to vote.
- The schools are involved in Mock Trials in which the students argue different cases which involves them in civic engagement.
- Every year, high schools send students to the State House Day where they actually get to sit in the chairs of the State Representatives and Senators and present and argue different issues.
- A visit to the Kennedy Congressional Building Museum in Boston during which time students are actually assigned as either as a Democrat or Republican and the setup replicates a Congressional Assembly where students are able to debate different issues.

"Municipal Government Day"

- To promote civic engagement in the Worcester Public Schools the school committee must initiate a "Municipal Government Day" to give high school students the opportunity to learn how our municipal government works and voice their positions on important local issues through prepared debate.
- Students will be selected to take on the role of as City Manager, School Superintendent, Mayor, Councilor At-Large, District Councilor and, or, School Committee Member to learn their responsibilities as an elected official.
- "Municipal Government Day" should occur on a Tuesday (City Council) and Thursday (School Committee) in April.

Sincerely,

Cotey J. Collins
25 Ekman Street Apt. 16E
Worcester MA, 01607
P: (508) 792-0672 | C: (774) 253-0320
E: CoteyJ.Collins@gmail.com

9-1-16-The Administration provide appropriate information as to what schools are now doing regarding governance activities for students- in response to citizen request for the district to initiate a “Municipal Governance Day” for high school students.

As part of the US History I course, a high school graduation requirement, students learn about the roles and responsibilities of federal, state and local governments in the United States, as well as the major components of Massachusetts’ state and local government (MA Framework Standards USI.15-USI.21).

In addition to the required course for all students, the district offers a variety of high school elective courses that include a focus on government:

AP Government and Politics (offered at all 6 comprehensive high schools)

AP US History (offered at all 6 comprehensive high schools)

Civics and Government

Criminal Justice

Intro to Government and Justice

Intro to Law

Legal Aspects

Social Systems and Justice

Furthermore, 50 high school juniors/seniors are accepted each year into the Worcester Rising Civics Camp held at Worcester State University during April break. Students are able to hear speakers from all levels of government and to interact with the speakers and panelists. This opportunity has provided students with access to the inner workings of government and a heightened awareness of their own civic duty.

High schools also have a long history of community service projects that allow larger numbers of students to work with City Council and local officials on a variety of issues that expose them to the workings and function of government.

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Clerk (August 24, 2016)

To consider a communication from a citizen relative to the feasibility of holding an event annually with a guest speaker to encourage eligible students to register to vote.

PRIOR ACTION:

- 9-1-16 - Referred to the Standing Committee on Governance and Employee Issues.
Miss Biancheria made the following motion:
Request that the Administration invite a representative from the Election Commission to attend the Standing Committee Meeting when the item is discussed.
On a voice vote, the motion was approved.

BACKUP:

Annex A (1 page) contains a copy of the communication.
Annex B (1 page) contains a copy of the Administration's response to the item.

Mandatory Registration Drive for High School Seniors

- It should be mandatory for high schools to hold an event with a guest speaker to encourage students to register to vote in September annually. Guest speakers should be School Committee or City Councilors and State Legislators should speak during municipal and state-wide election years.
- After the event and throughout September until the voter registration deadline in October the public schools must hold a voter registration drive for eligible high school seniors every day at every lunch.

Sincerely,

Cotey J. Collins
25 Ekman Street Apt. 16E
Worcester MA, 01607
P: (508) 792-0672 | C: (774) 253-0320
E: CoteyJ.Collins@gmail.com

8-24-16- To consider a communication from a citizen relative to the feasibility of holding an event annually with a guest speaker to encourage eligible students to register to vote.

Each of the 7 high schools runs a voter registration for students every September. Some schools register students during lunch, some register students during history classes, some schools register family and community members afterschool. All 7 high schools indicated that they have speakers from School Committee, the Clerk of Courts Office or local elected officials address students in the fall and at other times of the year regarding the importance of civic discourse and engagement. All schools indicated that they continue to register students to vote as they become of legal voting age.

In addition to registering classmates to vote, 55 Worcester Public School juniors/seniors representing all 7 high schools, were trained by the staff from the office of the Clerk of Courts to work as Poll Workers in the most recent election.

All schools replied that they have had speakers who have encouraged the students to register to vote. Senator Chandler was one of the speakers. Other speakers included the Mayor, City Clerk, State Senators and Representatives, School Committee members, City Council members, the City Manager and others.

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Mr. O'Connell/Mr. Monfredo/Miss McCullough (January 11, 2016)

To establish a Special Committee, consisting of at least three School Committee members, to continue the review of policies proposed for the Worcester Public Schools by the Massachusetts Association of School Committees.

PRIOR ACTION:

- 1-21-16 - Referred to the Standing Committee on Governance and Employee Issues.
- 4-26-16 - **STANDING COMMITTEE ON GOVERNANCE AND EMPLOYEE ISSUES**
 - It was moved and voice voted to approve Section AA – School District Legal Status.
 - It was moved and voice voted to approve Section AB – The People and Their School District.
 - It was moved and voice voted to approve Section AC – Nondiscrimination.
 - It was moved and voice voted to approve Section ACA – Nondiscrimination on the Basis of Sex.
 - It was moved and voice voted to approve Section ACAB – Sexual Harassment.
 - It was moved and voice voted to approve Section ACE – Nondiscrimination on the Basis of Sex.
 - It was moved and voice voted to approve Section AD – Educational Philosophy/School District Mission
 - It was moved and voice voted to approve Section ADC – Smoking on School Premises.

BACKUP: At present, the three School Committee members who review the sections in the Policy Manual are the ones that serve on the Standing Committee on Governance and Employee Issues.

Annex A (37 pages) contains a copy of the MASC's 2016 Section G - Personnel of the Policy Manual.

Annex B (35 pages) contains a copy of the proposed changes in Section G - Personnel of the Worcester Public Schools' Policy Manual.

PRIOR ACTION (continued)

- 2-26-16 - It was moved and voice voted to approve Section ADDA – C.O.R.I. Requirement.
(continued) It was moved and voice voted to approve Section ADF – School District Wellness Program.
It was moved and voice voted to approve Section AE – Commitment to Achievement.
These approvals were voted contingent on alignment with the Policies Handbook of the Worcester Public Schools, effective for the 2017-18 academic year.
- 4-28-16 - SCHOOL COMMITTEE MEETING - The School Committee approved the action of the Standing Committee as amended.
It was moved and voice voted to approve Section AA – School District Legal Status.
It was moved and voice voted to approve Section AB – The People and Their School District.
It was moved and voice voted to approve Section AC – Nondiscrimination.
It was moved and voice voted to approve Section ACA – Nondiscrimination on the Basis of Sex.
It was moved and voice voted to approve Section ACAB – Sexual Harassment.
Mr. O’Connell asked the Administration to verify that the titles of the Chief Human Resource Officer and the Instructional Support Personnel Director are correct and, if not, to correct them.
It was moved and voice voted to approve Section ACE – Nondiscrimination on the Basis of Sex.
It was moved and voice voted to approve Section AD – Educational Philosophy/School District Mission
It was moved and voice voted to approve Section ADC – Smoking on School Premises.
It was moved and voice voted to approve Section ADDA – C.O.R.I. Requirement.
It was moved and voice voted to approve Section ADF – School District Wellness Program.
It was moved and voice voted to approve Section AE – Commitment to Achievement.
These approvals were voted contingent on alignment with the Policies Handbook of the Worcester Public Schools, effective for the 2017-18 academic year.

SECTION G - PERSONNEL

GA PERSONNEL POLICIES GOALS

GBA EQUAL EMPLOYMENT OPPORTUNITY

GBEA STAFF ETHICS/CONFLICT OF INTEREST

GBEB STAFF CONDUCT

GBEBC GIFTS TO AND SOLICITATIONS BY STAFF

GBEC DRUG-FREE WORKPLACE POLICY

GBED TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED

GBGB STAFF PERSONAL SECURITY AND SAFETY

GBGE DOMESTIC VIOLENCE LEAVE POLICY

GBGF FAMILY AND MEDICAL LEAVE

GBI STAFF PARTICIPATION IN POLITICAL ACTIVITIES

GBJ PERSONNEL RECORDS

GBK STAFF COMPLAINTS AND GRIEVANCES

GCA PROFESSIONAL STAFF POSITIONS

GCBA PROFESSIONAL STAFF SALARY SCHEDULES

GCBB EMPLOYMENT OF PRINCIPALS

GCBC PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

GCCC FAMILY AND MEDICAL LEAVE

GCCD DOMESTIC VIOLENCE LEAVE POLICY

GCE PROFESSIONAL STAFF RECRUITING/ POSTING OF VACANCIES

GCF PROFESSIONAL STAFF HIRING

GCG SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

GCIA PHILOSOPHY OF STAFF DEVELOPMENT

GCJ PROFESSIONAL TEACHER STATUS

GCK PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

GCO EVALUATION OF PROFESSIONAL STAFF

GCOD RESIGNATION OF PROFESSIONAL STAFF MEMBERS

GCQE RETIREMENT OF PROFESSIONAL STAFF MEMBERS

GCQF SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

GCRD TUTORING FOR PAY

GDA SUPPORT STAFF POSITIONS

GDB SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS

GDD SUPPORT STAFF VACATIONS AND HOLIDAYS

GDO EVALUATION OF SUPPORT STAFF

GDQC RETIREMENT OF SUPPORT STAFF MEMBERS

GDQD SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

File: GA - PERSONNEL POLICIES GOALS

NOTE: School Committees must realize that even though they are no longer involved in the process of hiring school district employees other than the Superintendent and Assistant Superintendent, they are responsible to the students and residents of the school district they represent to insure that the highest quality individuals available are hired to meet the needs of the District. They have the additional responsibility to articulate the expectations of the District relative to personnel. This must be done in the form of District Policy. The School Committee recognizes that an efficient staff dedicated to education is necessary to maintain a constantly improving educational program.

The District's specific personnel goals are:

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

SOURCE: MASC

LEGAL REF.: M.G.L. 76:5

603 CMR 26.00

File: GBA - 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, or disability. 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.

SOURCE: MASC September 2016

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

CROSS REF.: AC, Nondiscrimination

NOTE: Although it is not usually necessary to have a policy that simply restates existing law, in this case it is important to reaffirm the School Committee's commitment to equal opportunity and to remind the hiring authorities in the District that many considerations other than District educational goals are factors to be considered.

This is also the category in which to include an affirmative action policy and plans. Details of the affirmative action plan could follow the Committee's policy as a School Committee-approved procedure. The cross references are to related statements in this manual.

File: GBEA - 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 Committee will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his duties and responsibilities 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 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.

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.

SOURCE: MASC September 2016

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

File: GBEB - 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, and the procedures designed to implement them.

In the area of personal conduct, the 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 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.

SOURCE: MASC September 2016

LEGAL REFS.: M.G.L. 71:37H; 264:11; 264:14

File: GBEC - 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 or her 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.

SOURCE: MASC December 2012

Legal Ref: M.G.L. 268A:3; 268A:23; 930 CMR 5.00

CROSS REFS.: KHA, Public Solicitations in the Schools

JP, Student Donations and Gifts

File: GBEC - DRUG-FREE WORKPLACE POLICY

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.

SOURCE: MASC March 2016

LEGAL REFS.: The Drug-Free Workplace Act of 1988

CROSS REFS.: IHAMB, Teaching about Alcohol, Tobacco and Drugs

JICH, Drug and Alcohol Use by Students

File: GBED - TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and 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.

SOURCE: MASC September 2016

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

File: GBGB - STAFF PERSONAL SECURITY AND SAFETY

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

Employees offered a position as a custodian, maintenance worker or food service worker must successfully pass a pre-employment physical examination (provided at School Committee cost) prior to the date of employment.

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,

SOURCE: MASC September 2016

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

CROSS REFS.: EB, Safety Program

NOTE: This category is for statements on staff physical and mental health examination requirements, the School Committee's commitment to assisting employees in maintaining good health, its concern with occupational safety, and so on.

Observe the cross-references. Health insurance plans for employees are properly coded under Fringe Benefits for the appropriate category of staff.

File: GBGE - 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.

SOURCE: MASC September 2016

LEGAL REF.: M.G.L. 149:52E; Section 10

Chapter 260 of the Acts of 2014

NOTE: The School Committee should seek the advice of counsel, deliberate, and determine whether or not to change the following language in the first paragraph as the School Committee, in consultation with the Superintendent, may choose to 1) make this type of leave paid or unpaid, and 2) make an employee exhaust other leave options or not:

"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."

Additionally, the statute does not require that employers with less than 50 employees provide this leave.

File: GBGF - FAMILY AND MEDICAL LEAVE

The School System shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall issue, and from time to time amend, procedures setting forth the rights and procedures granted by the Act, and shall ensure compliance with those procedures either personally or by delegation, or by some combination of personal oversight and delegation.

SOURCE: MASC September 2016

LEGAL REFS.: P.L. 103-3, "Family and Medical Leave Act of 1993"

File: GBI - 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.

SOURCE: MASC September 2016

LEGAL REF.: M.G.L. 55; 71:44

File: GBJ - 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 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 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.

SOURCE: MASC

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

Teachers' Agreement

CONTRACT REF.: All Agreements

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

File: GBK - STAFF COMPLAINTS AND GRIEVANCES

The School Committee will encourage the administration to develop effective means of resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and School Committee.

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

Channels established will provide for the following:

1. That teachers and other school employees may appeal a ruling of a Principal or other administrator to the Superintendent.
2. That all school employees may appeal a ruling of the Superintendent to the Committee, except in those areas where the law has specifically assigned authority to the Principal and/or the Superintendent and Committee action would be in conflict with that law.
3. That all hearings of complaints before the Superintendent or Committee be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

The process established for the resolution of grievances in contracts negotiated with recognized employee bargaining units will apply only to "grievances" as defined in the particular contract.

SOURCE: MASC September 2016

LEGAL REFS.: M.G.L. 150E:5 and 8

CONTRACT REFS.: All Contract Agreements

NOTE: Grievance procedures established through negotiated agreements may be referred to, as in the policy above. Many school systems also cite specific article and section numbers with the contract references.

File: GCA - PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school system will be created initially by the School Committee. It is the 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 Committee may abolish a position it has created.

Each time a new position is established by the Committee, the Superintendent will present for the 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.

SOURCE: MASC

NOTE: Job descriptions for professional staff positions are available for review in the office of the Superintendent.

NOTE: Subcategories may be added to code GCA for filing job descriptions of professional staff positions. However, if a school system has more than 20 job descriptions, it is recommended that they be filed in a special manual (and referred to, as was done on the sample policy above) to prevent the policy manual from becoming unwieldy.

File: GCBA - 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 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.

SOURCE: MASC September 2016

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

CONTRACT REF.: Teachers' Agreement

NOTE: If a salary schedule is established unilaterally by the School Committee, the actual schedule might be included as part of the policy or as an exhibit document coded GCBA-E. However, if it is part of a School Committee-staff agreement, it may be referred to, with the appropriate section of the agreement cited in a contract reference (as was done above). In either event, there probably will be procedures pertaining to initial placement and lateral movement on the schedule to include under code GCBA-R.

Regional school districts should cite M.G.L. 71:42B at this code.

File: GCBB - 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, 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 direction.

SOURCE: MASC September 2016

LEGAL REF: MGL 71:41; 71:59B

File: GCBC - 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 be rewarded with extra compensation.

Assignments that are to be accorded extra compensation will be designated by the 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 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.

SOURCE: MASC September 2016

LEGAL REF.: Collective Bargaining Agreement

File: GCE - 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 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.

SOURCE: MASC September 2016

LEGAL REFS.: Collective Bargaining Agreements

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. 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 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, 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.

SOURCE: MASC September 2016

UPDATED: June 2012

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

NOTE: School Committees may determine the size and composition of the screening committee.

File: GCG - SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

The school system will employ as substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments and will assign teachers substitute-teaching positions on the basis of their areas of competence. When the supply of potential substitutes in a particular subject area is too limited to meet school department needs, there will be active recruitment for substitutes in those areas. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided with as much support as possible by building administrators and teachers.

The School Committee will set the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the School Committee.

SOURCE: MASC

File: GCIA - 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.

SOURCE: MASC

NOTE: Related policies in a school system's manual might include those on Fringe Benefits (if tuition refunds are included), Leaves and Absences (if these include leave for conferences and workshops, professional development, or sabbaticals). Cross references should be provided to such statements.

File: GCJ - 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 decisions on the results of evaluation procedures conducted according to 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.

Established by law and Committee policy

SOURCE: MASC September 2016

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

NOTE: Regional school districts should cite M.G.L. 71:42B at this code.

File: GCK - 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 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 and the policies delineated above.

SOURCE: MASC

CONTRACT REF.: Teachers' Agreement

File: GCO - EVALUATION OF PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the schools, a continuous program for teacher and administrator evaluation will be established by the School Committee. Regular reports will be made to the Superintendent concerning the outcomes of these evaluations.

The evaluation process will include:

1. The development and periodic review of techniques and procedures for making evaluations.
2. Interpretation of the information gained in the evaluative process in terms of the objectives of the instructional program.
3. The application of the information gained to the planning of staff development and in-service training activities, which are designed to improve instruction and increase teacher competence.

The evaluation process will include self-evaluation, supervisor initiated observations, and teacher initiated observations.

The formal evaluations will be written and will be discussed by the supervisor and the person being evaluated. The discussions may either precede or follow the writing of the evaluation document. Copies of the written document will be signed by both parties and incorporated into the personnel files of the teacher or administrator. In addition, the individual and his department chairman (if applicable) will receive a signed copy. The signature should indicate that the evaluation has been read and discussed.

The written evaluation should be specific in terms of the person's strengths and weaknesses. Those areas where improvement is needed should be clearly set forth and recommendations for improvement should be made. Subsequent evaluations should address themselves to any improvement or to any continuing difficulty that is observed.

SOURCE: MASC

LEGAL REF.: M.G.L. 69:1B; 71:38; 71:38Q; 150E; 152B

603 CMR 35:00

CONTRACT REF.: Teachers' Agreement

File: GCQD - RESIGNATION OF PROFESSIONAL STAFF MEMBERS

Professional staff members may discontinue their service in the school system during the school year by submitting a written notice of intent to resign to the appropriate hiring authority.

Such written notice of intent to resign will be given to the Superintendent. The staff member will be notified in writing of the Superintendent's action on the resignation.

When a resignation is accepted by the Superintendent the employee may be expected to continue in service at his or her assigned duties for a period of 30 days after submission of the resignation.

SOURCE: MASC

File: GCQE - RETIREMENT OF PROFESSIONAL STAFF MEMBERS

Annually, the Superintendent will inform the Committee of the professional staff members who have indicated their intention to retire at the end of the current school year. No further School Committee action is necessary unless approval is needed for the payment of or participation in continued local benefits.

SOURCE: MASC

LEGAL REF.: Age Discrimination in Employment Law, P.L. 95-256

CONTRACT REF.: Teachers' Contract

NOTE: Under Massachusetts law (Teachers' Retirement Act), all professional personnel participate in a teachers' retirement plan, which provides several options on time of retirement and benefits granted to those who retire. It also sets limitations on the number of days a retired employee may be re-employed annually on a temporary basis by the school system. Temporary employment up to 90 days or 720 hours per calendar year is permitted at the discretion of the employer.

File: GCQF - SUSPENSION AND DISMISSAL OF PROFESSIONAL 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. Further, the 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 a professional 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.

SOURCE: MASC September 2016

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

File: GCRD - 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 parents 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.

LEGAL REF: M. G. L. 268A Mass. Ethics Commission FAQs for Public School Teachers

SOURCE: MASC 2013

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.

File: GDA - SUPPORT STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the school system must participate intelligently and effectively for the benefit of the children. This school system will employ support staff members in positions that function to support the education program.

All support staff positions will be established initially by the Committee. In each case, the Superintendent will submit for the Committee's consideration and action a job description or job specifications for the position.

Although positions may remain temporarily unfilled or the number of persons holding the same type of position reduced in event of de-staffing requirements, only the Committee may abolish a position it has created.

SOURCE: MASC

File: GDB - SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS

In establishing rates of pay and levels of compensation for support staff personnel, the School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school department.

Compensation plans will be reviewed annually for all categories of staff. Such review, where applicable, will be carried out in connection with negotiations with representatives of recognized bargaining units. The master agreements with these units will be considered appendices to this manual and will have the full force of School Committee policy.

The School Committee will set the rates of pay for personnel not covered by collective bargaining agreements.

Overtime

Support staff employees will be paid overtime wages for work performed in excess of 40 hours in a work week.

In counting hours for the purpose of allowing overtime work and pay, supervisors will consider sick leave, vacation time, and holidays as time worked.

Every effort must be made to minimize overtime by scheduling duties during the regular workday. Overtime will be authorized only by the Superintendent and only to cover emergency situations. All such work will be assigned on a fair and equitable basis.

SOURCE: MASC

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

CONTRACT REFS.: All Contracts

NOTE: For the convenience of all concerned, it is suggested that policies relating to the support staff parallel in coding, format, and treatment of negotiated items policies relating to the professional staff.

File: GDD - SUPPORT STAFF VACATIONS AND HOLIDAYS

Holidays

The school calendar, as adopted by the School Committee, establishes holidays and school recess periods for the employees who work on teacher and/or student days.

Employees who work on a 12-month basis will be granted paid holidays on all legal holidays and such other holidays as designated by the School Committee. They will also be expected to report to work during school recess periods unless days during these periods are considered official and designated as paid holidays by the Committee.

To qualify for holiday pay, the employee must be at work on the day before and the day following the holiday, unless his absence is approved on the basis of current leave policies.

Vacations

All 12-month employees will be eligible for paid-vacations in accordance with the following:

- 1-5 years -- two weeks vacation
- 5-10 years -- three weeks vacation
- After 10 years -- four weeks vacation

Support staff members employed on 10-month basis will be granted two weeks' paid vacation after completing 10 full years of services in the school system.

SOURCE: MASC

LEGAL REF.: M.G.L. 4:7; 136:12

CONTRACT REFS. All support staff contracts

File: GDO - EVALUATION OF SUPPORT STAFF

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable work loads, and establish wage and salary policies that encourage employees to put forth their best efforts.

The evaluation will cover the major areas of the employee's responsibilities and their job descriptions.

Each employee will be informed of the basis upon which he/she is to be evaluated in advance of evaluation.

SOURCE: MASC September 2016

CONTRACT REFS.: All support staff agreements

NOTE: Evaluation is an area in which many negotiated agreements contain information directly related to policy. The "contract reference" was added to this policy by the school system to direct the user of the manual to pertinent statements in the negotiated agreement. This type of referencing is only one method for dealing with the content of such agreements.

File: GDQC - RETIREMENT OF SUPPORT STAFF MEMBERS

All full-time non-instructional personnel are required to participate in the Commonwealth of Massachusetts Retirement System.

Periodically, the Superintendent will present to the Committee the names of support staff members who have indicated their intentions to retire.

SOURCE: MASC

LEGAL REFS.: Age Discrimination in Employment Law, P.L. 95-256

NOTE: Regional school districts should cite M.G.L. 71:16F at this code.

File: GDQD - SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

Support staff employed by the School District may be terminated by the Principal of the building in which they serve, with the approval of the Superintendent. However, employees may request the Superintendent to review the circumstances of their termination.

In the event of failure to perform as required, the Superintendent may immediately suspend or terminate employment depending upon agreement language.

Support staff employees may or may not be given prior notice of their dismissal depending upon the circumstances.

The Superintendent, or the Principal, with the approval of the Superintendent, may also suspend/remove employees from their individual assignments.

SOURCE: MASC September 2016

File: GA

PERSONNEL POLICIES GOALS

The School Committee recognizes that an efficient staff dedicated to education is necessary to maintain a constantly improving educational program.

The District's specific personnel goals are:

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

SOURCE: MASC

File: GA

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3. To provide positive programs of staff development that contribute both to improvement of the learning program and to each staff member's professional development.
4. To develop and use for personnel evaluation positive processes that contribute to the improvement of both staff capabilities and the learning program.

SOURCE: MASC

File: GBA

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, creed, color, age, sex, gender identity, national origin, disability or sexual orientation. 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.

If you believe the adverse employment action happened to you because of your race, color, religion, national origin, ancestry, sex, gender identity, age, criminal record (inquiries only), disability, sexual orientation, genetics, active military personnel, or past involvement in a discrimination complaint, it could be discrimination.

SOURCE: MASC

LEGAL REF: M.G.L. 151B, (civil rights)
M.G.L. 151B Sec. 3A, (sexual harassment)
M.G.L. 149 Sec 105D, (Parental Leave)

File: GBEA

STAFF ETHICS / CONFLICT OF INTEREST

All employees of the Worcester Public Schools are required to adhere to the requirement of Massachusetts General Law 268A (Conflict of Interest Law). This law addresses issues such as but not limited to restrictions on acceptance and giving of gifts; political activities; and awarding contracts.

Additionally, many professional associations have codes of conduct for their members, and the School Committee expects members of its professional staff to be familiar with these codes of ethics as they apply 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 district will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his duties and responsibilities 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 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.

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 City Clerk at least two weeks prior to executing the hiring.

SOURCE: MASC September 2016

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

File: GBEB

STAFF CONDUCT

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

SOURCE: MASC September 2016

LEGAL REFS.: M.G.L. 71:37H; 264:11

File: GBEB

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 or her 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.

SOURCE: MASC December 2012

Legal Ref: M.G.L. 268A:3; 268A:23; 930 CMR 5.00

File: GBEC

DRUG-FREE WORKPLACE POLICY

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

1. Put all employees on notice, via this policy, that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, is prohibited in the District's workplace. Violations of this policy will be subject to discipline up to and including termination.
2. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.
3. 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.
4. Notify the federal agency within ten days after receiving notice from an employee or otherwise receiving notice of such conviction.
5. 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.
6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

SOURCE: MASC

LEGAL REFS.: The Drug-Free Workplace Act of 1988

CROSS REFS.: IHAMB, Teaching about Alcohol, Tobacco and Drugs

JICH, Drug and Alcohol Use by Students

File: GBED

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

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and 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.

SOURCE: MASC September 2016

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

File: GBGB

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.

Applicants offered a position in the district must successfully pass a pre-employment physical examination prior to the date of employment.

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.

The district provides an employee assistance program for the benefit of its employees

SOURCE: MASC

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

File: GBGF

FAMILY AND MEDICAL LEAVE

The School System shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall issue, and from time to time amend, procedures setting forth the rights and procedures granted by the Act, and shall ensure compliance with those procedures either personally or by delegation, or by some combination of personal oversight and delegation.

SOURCE: MASC September 2016

LEGAL REFS.: P.L. 103-3, "Family and Medical Leave Act of 1993"

File: GBI

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.

SOURCE: MASC September 2016

LEGAL REF.: M.G.L. 71:44

File: GBJ

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 district'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. Personnel records will be maintained in compliance with state regulations.
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/her 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 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.

SOURCE: MASC

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

CONTRACT REF.: All Agreements

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

File: GBK

STAFF COMPLAINTS AND GRIEVANCES

The School Committee will encourage the administration to develop effective means of resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and School Committee.

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

Channels established will provide for the following:

1. That teachers and other school employees may appeal a ruling of a Principal or other administrator to the Superintendent.
2. That all school employees may appeal a ruling of the Superintendent to the School Committee, except in those areas where the law has specifically assigned authority to the Principal and/or the Superintendent and School Committee action would be in conflict with that law.
3. That all hearings of complaints before the Superintendent or School Committee be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

The process established for the resolution of grievances in contracts negotiated with recognized employee bargaining units will apply only to "grievances" as defined in the particular contract.

SOURCE: MASC September 2016

LEGAL REFS.: M.G.L. 150E:5 and 8

CONTRACT REFS.: All Contract Agreements

File: GCA

PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school system will be created initially by the Superintendent and approved 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, the Superintendent will present for the School Committee's information 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.

SOURCE: MASC

File: GCBA

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.

SOURCE: MASC September 2016

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

CONTRACT REF.: Teachers' Agreement

File: GCBB

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, 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 direction.

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SOURCE: MASC September 2016

LEGAL REF: MGL 71:41; 71:59B

File: GCBC

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 be rewarded with extra compensation. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

Assignments that are to be accorded extra compensation will be designated by the School Committee through collective bargaining when such extra compensation is articulated in the collective bargaining agreement or by the Superintendent for assignments which are not subject to the collective bargaining agreement. 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.

SOURCE: MASC September 2016

LEGAL REF.: Collective Bargaining Agreement

File: GCE

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 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 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.

SOURCE: MASC September 2016

LEGAL REFS.: Collective Bargaining Agreements

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. 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, 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 recommended 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.

SOURCE: MASC September 2016

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:39; 71:45

BESE Regulations 603 CMR 7:00, 26:00, and 44:00

File: GCG

SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

The school system will employ as substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments and will assign teachers substitute-teaching positions on the basis of their areas of competence. When the supply of potential substitutes in a particular subject area is too limited to meet school department needs, there will be active recruitment for substitutes in those areas. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided with as much support as possible by building administrators and teachers.

The School Committee will set the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the School Committee.

SOURCE: MASC

File: GCIA

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.

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.

SOURCE: MASC

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File: GCJ

PROFESSIONAL TEACHER STATUS

Teachers and certain other professional employees who have served in the School District for three school consecutive years under a valid Massachusetts teaching license shall be entitled to professional teacher status. The school year shall count towards professional teacher status if the teacher is hired and has begun working by September 15 of the school year. 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 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.

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 in accordance with the language of the collective bargaining agreement.

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.

SOURCE: MASC

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

File: GCK

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 in accordance with the collective bargaining agreement and 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 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 and the policies delineated above.

SOURCE: MASC

CONTRACT REF.: Teachers' Agreement

File: GCO

EVALUATION OF PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the schools, a continuous program for teacher and administrator evaluation will be established by the School Committee. Regular reports will be made to the Superintendent concerning the outcomes of these evaluations.

Teachers and Administrators of the Worcester Public Schools shall be evaluated in accordance with regulations set forth by the Massachusetts Department of Elementary and Secondary Education.

Copies of the written document will be signed by both parties and incorporated into the personnel files of the teacher or administrator. The signature should indicate that the evaluation has been read and discussed.

The written evaluation should be specific in terms of the person's strengths and weaknesses. Those areas where improvement is needed should be clearly set forth and recommendations for improvement should be made. Subsequent evaluations should address themselves to any improvement or to any continuing difficulty that is observed.

SOURCE: MASC

LEGAL REF.: M.G.L. 69:1B; 71:38; 71:38Q; 150E; 152B

603 CMR 35:00

CONTRACT REF.: Teachers' Agreement

File: GCQD

RESIGNATION OF PROFESSIONAL STAFF MEMBERS

Professional staff members may discontinue their service in the school system during the school year by submitting a written notice of intent to resign to the appropriate hiring authority.

Such written notice of intent to resign will be given to the Superintendent. The staff member will be notified in writing of the Superintendent's action on the resignation.

When a resignation is accepted by the Superintendent the employee may be expected to continue in service at his or her assigned duties in accordance with his/her employment contract; or, for a period of 30 days after submission of the resignation when such time period is not otherwise specified.

SOURCE: MASC

File: GCQE

RETIREMENT OF PROFESSIONAL STAFF MEMBERS

Annually, the Superintendent will inform the School Committee of the professional staff members who have indicated their intention to retire. No further School Committee action is necessary unless approval is needed for the payment of or participation in continued local benefits.

SOURCE: MASC

LEGAL REF.: Age Discrimination in Employment Law, P.L. 95-256

CONTRACT REF.: Teachers' Contract

File: GCQF

SUSPENSION AND DISMISSAL OF PROFESSIONAL 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. 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 a professional 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 due process will be accorded to the individual.
 - 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.

SOURCE: MASC September 2016

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

File: GCRD

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 parents 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.

LEGAL REF: M. G. L. 268A Mass. Ethics Commission FAQs for Public School Teachers

SOURCE: MASC 2013

File: GDA

SUPPORT STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the school system must participate intelligently and effectively for the benefit of the children. This school system will employ support staff members in positions that function to support the education program.

All support staff positions will be established initially by the School Committee. In each case, the Superintendent will submit for the School Committee's consideration and action a job description or job specifications for the position.

Although positions may remain temporarily unfilled or the number of persons holding the same type of position reduced in event of de-staffing requirements, only the School Committee may abolish a position it has created.

SOURCE: MASC

File: GDB

SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS

In establishing rates of pay and levels of compensation for support staff personnel, the School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school department.

The School Committee will set the rates of pay for personnel not covered by collective bargaining agreements.

Overtime

Non-exempt support staff employees will be paid overtime wages for work performed in excess of 40 hours in a work week. All overtime must be pre-approved by the employee's supervisor.

Every effort must be made to minimize overtime by scheduling duties during the regular workday. Overtime will be authorized only by the Superintendent or his/her designee. All such work will be assigned in accordance with the collective bargaining agreements or in the best interest of the district.

SOURCE: MASC

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

CONTRACT REFS.: All Contracts

File: GDD

SUPPORT STAFF VACATIONS AND HOLIDAYS

Holidays

The school calendar, as adopted by the School Committee, establishes holidays and school recess periods for the employees who work on teacher and/or student days.

Employees who work on a 12-month basis will be granted paid holidays on all legal holidays and such other holidays as designated by the School Committee. They will also be expected to report to work during school recess periods unless days during these periods are considered official and designated as paid holidays by the School Committee.

To qualify for holiday pay, the employee must be at work on the day before and the day following the holiday, unless his absence is approved on the basis of current leave policies.

Vacations

All 12-month employees will be eligible for paid-vacations in accordance with the appropriate collective bargaining agreement or individual employment agreement.

SOURCE: MASC

LEGAL REF.: M.G.L. 4:7; 136:12

CONTRACT REFS. All support staff contracts

File: GDO

EVALUATION OF SUPPORT STAFF

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable workloads, and establish wage and salary policies that encourage employees to put forth their best efforts.

The evaluation will cover the major areas of the employee's responsibilities and their job descriptions.

Each employee will be informed of the basis upon which he/she is to be evaluated in advance of evaluation.

SOURCE: MASC September 2016

CONTRACT REFS.: All support staff agreements

File: GDQC

RETIREMENT OF SUPPORT STAFF MEMBERS

All full-time non-instructional personnel are required to participate in a public pension system.

Periodically, the Superintendent will present to the School Committee the names of support staff members who have indicated their intentions to retire.

SOURCE: MASC

LEGAL REFS.: Age Discrimination in Employment Law, P.L. 95-256

File: GDQD

SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

Support staff employed by the School District may be terminated by the Principal of the building in which they serve, with the approval of the Superintendent. However, employees may request the Superintendent to review the circumstances of their termination.

In the event of failure to perform as required, the Superintendent may immediately suspend or terminate employment depending upon agreement language.

Support staff employees may or may not be given prior notice of their dismissal depending upon the circumstances.

The Superintendent, or the Principal, with the approval of the Superintendent, may also suspend/remove employees from their individual assignments.

SOURCE: MASC September 2016

ITEM: gb #6-144

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Mr. O'Connell/Mr. Foley/Ms. Colorio/Mr. Monfredo/Miss Biancheria/
Miss McCullough/Mayor Petty (April 4, 2016)

To update Worcester Public Schools' policies regarding substance abuse prevention and education, and to post the updated policies on the Worcester Public Schools website, in compliance with Chapter 71, Section 96 of the Massachusetts General Laws.

PRIOR ACTION:

4-28-16 - Referred to the Standing Committee on Governance and Employee Issues.

BACKUP:

Since the Bill has passed and the Administration is implementing it, it recommends that the item be filed.

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Mr. Monfredo/Mr. O'Connell/Ms. Colorio/Miss McCullough/Miss Biancheria/
Mayor Petty (July 22, 2016)

Request that the Administration consider including training in the Heimlich maneuver as part of the Compression CPR Program and review the Heimlich Heroes Program, which was created by Deaconess Associations, Inc. (DAI) with the support from the Heimlich Institute, for possible implementation in the Worcester Public Schools.

PRIOR ACTION:

- 8-18-16 - Referred to the Standing Committee on Governance and Employee Issues.
- 9-7-16 - Mr. Monfredo made the following motions:
Request that the Administration consider providing training in the Heimlich Maneuver as part of the CPR Training for grades 7-12 and provide an update in April 2017.

BACKUP:

Annex A (1 page) contains a copy of the Administration's response to the item.

PRIOR ACTION (continued)

9-7-16 - Request that the Administration provide a report in April 2017
(continued) regarding training taking place in grades 2-6 to include the number of students being trained.

On a voice vote, the motions were approved.

Miss Biancheria made the following motion:

Request that Administration consider providing a shorter version of the Heimlich Maneuver to students.

On a voice vote, the motion was approved.

Mr. Foley made the following motion:

Request that the Administration consider implementing a pilot program and, if it is implemented, provide an evaluation at the end of the year.

On a voice vote, the motion was approved.

Miss Biancheria's motion:

Request that Administration consider providing a shorter version of the Heimlich Maneuver to students.

Currently students in grade 7-12 are taught the Heimlich Maneuver during a PE class during the "Hand Only CPR" lesson. It is a very short version.

Mr. Foley's motion:

Request that the Administration consider implementing a pilot program and, if it is implemented, provide an evaluation at the end of the year.

Students in grades 7-12 receive instruction in the Heimlich Maneuver as suggested by the Massachusetts Comprehensive Health Education Frameworks. There is no pilot program needed.

In reference to elementary school students, Health Education teachers service only students in grades 4-6. Time constraints, along with the cost for the program, makes it impossible to implement a program like "Heimlich Heroes." Therefore, health educators will not be able to implement a pilot Heimlich Heroes program during their Health Education class.

ITEM: gb #6-276

STANDING COMMITTEE: **GOVERNANCE AND EMPLOYEE ISSUES**

DATE OF MEETING: Monday, March 13, 2017

ITEM: Administration (July 28, 2016)

To consider necessary policy changes concerning the implementation of the recently enacted Bill relative to Substance Use, Treatment, Education and Prevention and review the policy developed by the Massachusetts Association of School Committees.

PRIOR ACTION:

8-18-16 - Referred to the Standing Committee on Governance and Employee Issues.

BACKUP:

Since the Bill has passed and the Administration is implementing it, it recommends that the item be filed.