

LEXINGTON SCHOOL COMMITTEE MEETING
Saturday, January 31, 2015
Diamond Middle School Auditorium
99 Hancock Street

9:00 a.m. Call to Order and Welcome:

Public Comment – (Written comments to be presented to the School Committee; oral presentations not to exceed three minutes.)

9:05 a.m. Superintendent’s Announcements:

9:10 a.m. School Committee Member Announcements:

9:15 a.m. Agenda:

1. School Committee Policies (60 minutes)
 - a. Review and Approve in Form Section G of Policy Manual: Personnel
 - b. Review and Approve in Form Section H of Policy Manual: Negotiations
 - c. First Reading of Mission/Vision Statement

10:15 a.m. Public Hearing on the Superintendent’s FY 16 Recommended Budget (30 minutes)

10:45 a.m. Agenda (continued):

1. FY 16 Budget Discussion (30 minutes)

11:15 a.m. Adjourn:

The next scheduled meetings of the School Committee are as follows:

- Tuesday, February 3, 2015 (Executive Session) – 6:30 p.m., School Administration Building, Central Office Upper Level Conference Room, 146 Maple Street
- Tuesday, February 10, 2015 – 7:30 p.m., Town Offices Building, Selectmen’s Meeting Room, 1625 Massachusetts Avenue

All agenda items and the order of items are approximate and subject to change.

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SECTION G

PERSONNEL

GA PERSONNEL POLICIES GOALS

~~**GBA DIVERSITY POLICY STATEMENT (L)**~~

GBA EQUAL EMPLOYMENT OPPORTUNITY(MASC)

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GBEA STAFF ETHICS/CONFLICT OF INTEREST

GBEB STAFF CONDUCT

~~**GBEBC STAFF GIFTS AND SOLICITATIONS (L)**~~

**GBEBC GIFTS TO AND SOLICITATIONS BY
STAFF (MASC)**

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GBEC DRUG-FREE WORKPLACE POLICY

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

GBGB STAFF PERSONAL SECURITY AND SAFETY

**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
PAYPLANS**

GCCC FAMILY AND MEDICAL LEAVE

GCE	PROFESSIONAL STAFF RECRUITING/ POSTING OF VACANCIES
GCF	PROFESSIONAL STAFF HIRING
GCG	SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT
GCIA	PHILOSOPHY OF STAFF DEVELOPMENT <u>PROFESSIONAL LEARNING</u>
GCJ	PROFESSIONAL TEACHER STATUS
GCK	PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS
GCO	EVALUATION OF PROFESSIONAL STAFF
GCQD	RESIGNATION OF PROFESSIONAL STAFF MEMBERS
GCQE	RETIREMENT OF PROFESSIONAL STAFF MEMBERS
GCQF	SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS
GCRD	PRIVATE 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

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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~~professional learning 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~~genuinely collaborative 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.: 603 CMR 26:08 paragraphs 3,7,8,9

File: GBA

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DIVERSITY POLICY STATEMENT

It is the policy of the Lexington Public Schools to assure equal employment opportunity for all persons, regardless of race, color, gender, age, national origin, ancestry, religion, creed, height, weight, economic background, marital status, sexual orientation or disability.

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It is also the policy of the Lexington Public Schools to employ individuals capable of performing the defined duties of positions, to impose valid requirements for hiring and promotion and to administer all personnel actions and system resources without regard to any non-job-related factors.

It is the goal of the Lexington Public Schools to achieve significant representation of members of minorities and other underrepresented groups at all levels of employment. This policy mandates aggressive, proactive measures to recruit, employ, and promote members of all underrepresented groups. For purposes of this policy, significant representation means representation that reflects the composition of the total student population of this school system.

In assessing candidates it is the policy of the Lexington Public Schools to hire the best candidates available by taking into consideration a range of factors including but not limited to education, credentials, employment experience, life experience, as well as the fact that members of minorities and other underrepresented groups bring diversity to the school system. This policy in no way mandates or approves the adoption of hiring quotas.

The Superintendent of Schools shall have overall responsibility for the Diversity Policy and shall devise a plan for the implementation of this policy. The Superintendent shall submit an annual report to the School Committee in the fall of each year, detailing steps taken and progress achieved in implementing this policy. The report shall include but not be limited to statistical profiles disclosing, for each category of staff, the extent of representation of underrepresented groups.

The purpose of this policy is to accomplish the following:

1. To give all students and staff an opportunity to relate to and learn with persons from minorities, and other underrepresented groups and thereby to increase their knowledge and enhance intercultural understanding.
2. To provide adult role models representative of a diverse student body.
3. To create an environment that includes all types of people, that encourages open communication about differences, that promotes appreciation of each person's uniqueness and that empowers each individual to do his or her best.
4. To ensure equal opportunities for the employment promotion and transfer of all persons.

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This policy shall provide a guide for future contractual negotiations.

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Third Reading, marked "June 1996 Policy under Revision."
SOURCE: Lexington

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.

It is the goal of the Lexington Public Schools to achieve significant representation of members of minorities and other underrepresented groups at all levels of employment. This policy mandates aggressive, proactive measures to recruit employ, and promote members of all underrepresented groups. For purposes of this policy, significant representation means representation that reflects the composition of the total student population of this school system.

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SOURCE: MASC

UPDATED: June 2012

LEGAL REF.: 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 regulation. 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 hiring, 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.

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 Town or District Clerk at least two weeks prior to executing the hiring in accordance with the law.

SOURCE: MASC

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 regulations 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 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**

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

File: GBEB

STAFF GIFTS AND SOLICITATIONS

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I. — PURPOSE AND SCOPE

~~No organization may solicit funds of staff members for students within the schools, nor may anyone distribute flyers or other materials related to fund drives through the schools, without the approval of the Superintendent. Nor shall staff members be made responsible, or assume responsibility for the collection of any money or distribution of any fund drive literature within the schools, without such activity having the Superintendent's approval.~~

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~~First Reading: March 12, 1991
Second Reading: April 30, 1991~~

~~SOURCE: Lexington~~

File: GBEBC

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

Lexington Public Schools

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**

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

CROSS REFS.: JICH, Drug and Alcohol Use by Students

File: GBED

TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS

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

| Staff members who violate this policy will be referred to their immediate supervisor for further action.

| SOURCE: MASC

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 town's employee assistance program,

Revised: 6/21/04

SOURCE: MASC

LEGAL REFS.: M.G.L. 71:54; 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: 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**

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 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**

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 merit 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

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 procedural regulations 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 Lexington Public Schools 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.

Contracts issued to Principals will 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.

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 ~~before April 1~~ must submit, with the school council, the educational goals and school improvement plan for the school building(s) under his/her direction.

Said contracts shall be reviewed by Labor Counsel to determine that they are in compliance with law, proper form, and School Committee policies.

SOURCE: MASC

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**

LEGAL REF.: Collective Bargaining Agreement

File: GCCC

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, regulations setting forth the rights and procedures granted by the Act, and shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal oversight and delegation.

| **SOURCE: MASC**

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

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~~ a license for 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

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-licensure~~ 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 age, sex, gender identity, creed, race, color, national origin, disability, sexual orientation or place of residence.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
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 recommendation to the School Committee.

~~SOURCE: MASC~~

~~UPDATED: June 2012~~

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45; 71:55B
Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994
BESE Regulations 603 CMR 7:00, 26.00, and 44:00

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

Lexington Public Schools

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~~ PROFESSIONAL LEARNING 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~~ learning 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

Teachers and certain other professional employees who have served in the School District for three consecutive years shall be entitled to 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. 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**

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~~-licensure and the policies delineated above.

~~SOURCE: MASC~~

CONTRACT REF.: Teachers' Agreement

File: GCO

EVALUATION OF PROFESSIONAL STAFF

| In order to ~~assure-ensure~~ 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~~ professional learning 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 REFS.: 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**

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

File: GCRD

PRIVATE 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.

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/guardians 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/she or she is to be tutored.

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

| **SOURCE: MASC**

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-approve recommendations of the Superintendent for~~ 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
<u>After 20 years</u>	<u>-- five weeks vacation</u>

~~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 REFS.: M.G.L. 4:7; 136:12

CONTRACT REFS. All support staff contracts

EVALUATION OF SUPPORT STAFF

A program of continuous observation and evaluation will be developed to find and retain 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 of employee achievements and the provision of a good atmosphere are some of the major duties of the Committee.

The evaluation will cover the major areas of the employee's responsibilities ~~and will include the following:~~

- ~~1. Specific work assignment~~
- ~~2. Attitude toward students~~
- ~~3. Attitude toward public education~~
- ~~4. Attitude toward supervisors, teachers, and fellow employees~~
- ~~5. Work habits~~

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

SOURCE: MASC

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.**~~

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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 employees 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.

~~Bus drivers are employed on a monthly basis with continuity of employment conditioned only upon satisfactory performance. In the event of failure to perform as required, the Superintendent may immediately suspend employment.~~

~~Support staff employees will generally be given notice of their dismissal two weeks prior to the effective date.~~

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

~~SOURCE: MASC~~

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BLACK – EXISTING

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**SECTION H
NEGOTIATIONS**

H ~~NEGOTIATIONS~~

HA ~~NEGOTIATIONS GOALS~~

HB ~~NEGOTIATIONS LEGAL STATUS~~

HF ~~SCHOOL COMMITTEE NEGOTIATING AGENTS~~

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NEGOTIATIONS

~~NOTE: This section is for filing policies relating to the process of negotiations, not for filing personnel "policies" that have been negotiated. (Most of the latter would go in the Personnel Section if you determine to include items from negotiated agreements in your policy manual.)~~

~~In compiling a policy manual, you need to make a decision at the start as to how you will handle the various statements in agreements with staff units that relate to the bargaining process and to employee compensation, benefits, and other conditions of work determined through the process.~~

~~It is recommended that:~~

- ~~1. You use references to pertinent portions of agreements as appropriate to the various categories in the classification system. Otherwise, use agreement excerpts verbatim as appropriate to the various categories.~~
- ~~2. Whichever method you choose, be consistent in the treatment of negotiated "policies" throughout your manual and give the same treatment to agreements with all staff units with which you negotiate.~~

~~Many examples of the use of contract references appear in the Personnel (G) Section of this reference manual.~~

~~SOURCE: MASC~~

NEGOTIATIONS GOALS

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

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

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

| ~~SOURCE: MASC~~

NEGOTIATIONS LEGAL STATUS

All negotiations between the School Committee and recognized employee groups are conducted subject to Chapter 150E of the Massachusetts General Laws. The legal status of negotiations is defined in part by Section 2 of that chapter, as follows:

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

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

| Established by law.

| ~~SOURCE: MASC~~

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

SCHOOL COMMITTEE NEGOTIATING AGENTS

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

The School Committee will appoint the negotiator and the fee or salary for his/her services, if necessary, will be established in accordance with the law at the time of appointment.

The duties of the negotiator will be as follows:

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

~~SOURCE: MASC~~

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

MISSION/VISION STATEMENT

The Lexington Public Schools serve to inspire and empower every student to become a lifelong learner prepared to be an active and resilient citizen who will lead a healthy and productive life. Educators, staff, and the community will honor diversity and work together to provide all students with an education that ensures academic excellence in a culture of caring and respectful relationships.

Guiding Principles:

We believe that all students can learn at high levels.

This is achieved by:

- Promoting a mindset that intelligence is not fixed and can continuously be developed
- Developing each student's unique gifts
- Nurturing physical, social, and emotional well-being
- Expanding learning through diversity
- Engaging students in relevant, experiential, and personalized learning
- Cultivating creative problem solving, critical thinking, and innovation
- Promoting integrity, civility, and global citizenship
- Creating an environment in which the community and schools are partners
- Fostering a culture of open communication, trust, and shared responsibility
- Empowering all staff to be collaborative educators, learners, and leaders
- Providing inspiring professional learning for all