

## SECTION B

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## **SCHOOL COMMITTEE OPERATIONAL GOALS**

The School Committee is responsible to the people for whose benefit the school district has been established. The Committee's current decisions will influence the course of education in our schools for years to come. The Committee and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate problems.

The School Committee's primary responsibility is to establish those purposes, programs, and procedures that will best produce the educational achievement needed by our students. The Committee is charged with accomplishing this while also being responsible for wise management of resources available to the school system. The Committee must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and by evaluating the results. It must carry out its functions openly, while seeking the comments of public, students, and staff in its decision-making processes.

In accordance with these principles, the technique will involve:

1. Periodically setting performance objectives for the School Committee itself and evaluating their accomplishment.
2. Setting objectives for performance for each position and function in the system.
3. Allowing the people responsible for carrying out objectives to have a role in setting them.
4. Establish practical and simple goals.
5. Conducting a concrete and periodic review of performance against these goals.

CROSS REF.: ADA, School District Goals and Objectives

## **EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES**

The School Committee may periodically establish realistic objectives related to Committee procedures and relationships. At the end of a specified length of time, the Committee will measure its performance against the stated objectives.

The following areas of School Committee operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Communication with the public
2. School Committee - Superintendent relationships
3. School Committee member development and performance
4. Policy development
5. Educational leadership
6. Fiscal management
7. School Committee meetings
8. Performance of subcommittees of the School Committee
9. Interagency and governmental relationships

When the Committee has completed its self-evaluation, the members will discuss the results in detail and formulate a new series of objectives. At the same time, the Committee will set an approximate date on which the next evaluations will be conducted.

Implied in the concept of evaluation is an assumption that individuals and committees are capable of improvement. The School Committee believes that its performance will be improved if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

## SCHOOL COMMITTEE LEGAL STATUS

The School Committee is the governing board of the regional school district. Although it functions as a duly elected Committee of town government, the School Committee has, unlike other town boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

**NOTE: A statement under this code is usually statutory and informational in nature, not a “policy” in the strict sense of the word. Include under this code the number of School Committee members and the length of a regular term.**

**Town or city charters and ordinances often establish the composition of the School Committee and set forth provisions for the election of Committee members. Such details should be incorporated into a statement in this category. References to the pertinent section(s) of the charter or ordinances should be added to the legal references as was done with the policy above.**

**Regional school districts are created in accordance with state law and the regional agreement approved by the member towns. Therefore, a policy on the legal status of a regional School Committee would be different from the sample policy above. At this code, regional school districts often include the number of members elected from each town and the term of office. Pertinent sections of the regional agreement are often cited with the legal references, which, in the case of a regional school district, would include M.G.L. 71:14B and 71:16A. A policy in this area for a School Committee that is a member of a superintendency union also would vary from the above. Sample. A reference to M.G.L. 71:63 would be required. The cross references are to related codes in the NEPN classification system.**

LEGAL REFS.: M.G.L 41:1 and 71:37 specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFS.: AA, School District Legal Status  
BBA, School Committee Powers and Duties

## **SCHOOL COMMITTEE POWERS AND DUTIES**

The School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its functions. It sees them as:

1. Legislative or policy making. The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.
2. Appraisal. The Committee is responsible for evaluating the effectiveness of its policies and their implementation.
3. Provision of financial resources. The Committee is responsible for adoption of a budget that will enable the school system to carry out the Committee's policies.
4. Public relations. The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the school and for keeping itself and the school staff informed about the needs and wishes of the public.
5. Educational planning and evaluation. The Committee is responsible for establishing educational goals and policies that will guide the Committee and staff for the administration and continuing improvement of the educational programs provided by the school district.

LEGAL REF.: M.G.L. 71:37 specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.

CROSS REF.: BB, School Committee Legal Status

## **SCHOOL COMMITTEE MEMBER AUTHORITY**

### Authority

Because all powers of the School Committee derived from state laws are granted in terms of action as a group, members of the School Committee have authority only when acting as a Committee legally in session.

The School Committee will not be bound in any way by any statement or action on the part of an individual member except when such statement or action is a result of specific instructions of the Committee.

No member of the Committee, by virtue of his/her office, will exercise any administrative responsibility with respect to the schools or command the services of any school employee.

The School Committee will function as a body and all policy decisions and other matters, as required by law, will be settled by an official vote of the Committee sitting in formal session.

### Duties

The duties and obligations of the individual Committee member may be enumerated as follows:

1. To become familiar with the General Laws of the Commonwealth relating to education and School Committee operations, regulations of the Massachusetts Board of Education, policies and procedures of this School Committee and School Department.
2. To keep abreast of new laws and the latest trends in education.
3. To have a general knowledge of the goals, objectives, and programs of the town's public schools.
4. To work effectively with other Committee members without trying either to dominate the Committee or neglect his/her share of the work.
5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.
6. To vote and act in Committee impartially for the good of the students.
7. To accept the will of the majority vote in all cases and to remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.



8. To represent the Committee and the school to the public in a way that promotes interest and support.
9. To refer questions and complaints to the proper school authorities.
10. To comply with the accepted code of ethics for School Committee members.

## SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

In order to serve on the School Committee, an individual must be a registered voter in the towns from which he/she is elected or appointed and must take an oath of office as required by law.

Each new member will present to the Committee secretary official certification of having sworn the oath before an officer duly qualified to administer oaths prior to entering on his/her official duties as a member of the Committee. From the Town Clerks, newly qualified Committee members, by law, receive, and sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

Membership on a School Committee is not limited to race, color, sex, religion, national origin, or sexual orientation.

LEGAL REFS.:       M.G.L. 39:23B; 41:1; 41:107  
                          M.G.L. 76:5, amended 1993.

## **SCHOOL COMMITTEE MEMBER RESIGNATION**

An existing School Committee member who submits his/her resignation to the appropriate certifying authority terminates his/her duties at the time of his/her resignation unless he/she states in that resignation a specific time at which the resignation will take effect.

Should a School Committee member move out of the town or city which elected him/her to the Committee, he/she shall be deemed to have vacated his/her office.

LEGAL REFS.: M.G.L. 41:2; 41:109

**UNEXPIRED TERM FULFILLMENT**

*Refer to the Somerset Berkley Regional School District Agreement*

**SCHOOL COMMITTEE MEMBER ETHICS**  
(Massachusetts Association of School Committees Code of Ethics)

Preamble

The acceptance of a code of ethics implies the understanding of the basic organization of School Committees under the Laws of the Commonwealth of Massachusetts. The oath of office of a School Committee member binds the individual member to adherence to those state laws which apply to School Committees, since School Committees are agencies of the state.

This code of ethics delineates three areas of responsibility of School Committee members in addition to that implied above:

1. Community responsibility
2. Responsibility to school administration
3. Relationships to fellow Committee members.

School Committee member in his/her relations with his/her community should:

1. Realize that his/her primary responsibility is to the children.
2. Recognize that his/her basic function is to be policy making and not administrative.
3. Remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
4. Be well informed concerning the duties of a Committee member on both a local and state level
5. Remember that he/she represents both communities at all times.
6. Accept the office as a Committee member as means of unselfish service with no intent to "play politics," in any sense of the word, or to benefit personally from his/her Committee activities.

A School Committee member in his/her relations with his/her school administration should:

1. Endeavor to establish sound, clearly defined policies which will direct and support the administration.
2. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
3. Give the chief administrator full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results.
4. Refer all complaints to the administrative staff for solution and only discuss them at Committee meetings if such solutions fail.

A School Committee in his/her relations with his/her fellow Committee members should:

1. Recognize that action at official meetings is binding and that he/she alone cannot bind the Committee outside of such meetings.
2. Realize that he/she should not make statements or promises of how he/she will vote on matters that will come before the Committee.

3. Uphold the intent of executive sessions and respect the privileged communications that exists in executive sessions.
4. Not withhold pertinent information on school matters or personnel problems, either from members of his/her own Committee or from members of other committees who may be seeking help or information on school problems.
5. Make decisions only after all facts on a question have been presented and discussed.

SOURCE: Massachusetts Association of School Committees, 5/22/64

**ORGANIZATION OF REGIONAL SCHOOL COMMITTEE**

*Refer to the Somerset Berkley Regional School District Agreement*

## **SCHOOL COMMITTEE ORGANIZATIONAL MEETING**

For the purpose of organizing, the School Committee, at its first regular meeting following the District's annual elections, will elect from its membership a chairperson, a vice-chairperson, and a secretary, all of whom will hold their respective offices for a term of one year or until a successor is elected.

A majority of the members of the School Committee will constitute a quorum. The election will proceed as follows:

1. Nominations for the office of chairperson will be made from the floor. The chairperson will be elected by a majority roll-call vote of the members present and voting. If no nominee receives a majority vote, the election will be declared null and void and nominations will be reopened.
2. Upon election, the new chairperson will preside, calling for the election of a vice-chairperson and secretary, in order. The procedure used for their election will be the same as that for electing the chairperson.

Any vacancy among the officers occurring between organizational meetings will be filled by a member elected by the School Committee. The election will be conducted as described above.

Following election of officers at its organizational meeting, the School Committee may proceed into such regular or special business as scheduled on the agenda.



## **SCHOOL COMMITTEE OFFICERS**

### Duties of the Chairperson

The chairperson of the School Committee has the same powers as any other member of the Committee to vote upon all measures coming before it, to offer resolutions and to discuss questions. He/she will perform those duties that are consistent with his/her office and those required by law, state regulations, and this Committee. In carrying out these responsibilities, the chairperson will:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Committee
2. Consult with the Superintendent in the planning of the Committee's agendas
3. Confer with the Superintendent on crucial matters that may occur between Committee meetings
4. Appoint subcommittees, subject to Committee approval
5. Call, special meetings of the Committee as found necessary
6. Be public spokesperson for the Committee at all times except as this responsibility is specifically delegated to others
7. Be responsible for the orderly conduct of all Committee meetings.

As presiding officer at all meetings of the Committee, the chairperson will:

1. Call the meeting to order at the appointed time
2. Announce the business to come before the Committee in its proper order
3. Enforce the Committee's policies relating to the order of business and the conduct of meetings
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Explain what the effect of a motion would be if this is not clear to members
6. Restrict discussion to the question when a motion is before the Committee
7. Answer all parliamentary inquiries
8. Put motions to a vote, stating definitely and clearly the vote and result thereof

Duties of the Vice-Chairperson

The vice-chairperson of the Committee will act in the absence of the chairperson as presiding officer of the Committee and will perform such other duties as may be delegated or assigned to him/her.

Secretary

The secretary will keep or cause to be kept an accurate journal of all Committee meetings; will comply with state law and Committee policy regarding notification of meetings; and will render such reports as may be required by the state or the town.

LEGAL REFS.: M.G.L. 71:36

**APPOINTED COMMITTEE OFFICIALS**

The Superintendent shall be elected by the Committee as provided by law and to serve as secretary and perform all the duties that are prescribed by law and such other duties, not inconsistent there to, as majority of the Committee may direct.

## **SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP**

It shall be the policy of the Somerset Berkley Regional School District that the Committee shall define the relationship between the Committee and Superintendent of Schools, reserving the right to make changes, additions, and deletions whenever necessary in the twenty-four (24) basic statements of policy relating to the Superintendent and in accordance with the laws of the Commonwealth.

**SCHOOL COMMITTEE-SUPERINTENDENT COMMUNICATION**

It shall be the policy of the Somerset Berkley Regional School District that the Committee shall keep the Superintendent informed of community reaction to the school program—the positive as well as the negative. The Committee will be expected to support the Superintendent and staff whenever it is reasonable and possible in all of the Superintendent's and staff's efforts to improve the instruction in the schools.

## **RELATIONSHIP WITH ADMINISTRATORS**

A School Committee member in his/her relations with his/her school administration should:

- Endeavor to establish sound, clearly-defined policies which will direct and support administration.
- Recognize and support the administrative chain of command, and refuse to act upon complaints as an individual outside the administration.
- Give the chief administrator full responsibility for discharging his/her professional duties, and hold him/her responsible for acceptable results.
- Refer all complaints to the administrative staff for solution and only discuss them at Committee meetings if such solutions fail.

## **SUBCOMMITTEES OF THE SCHOOL COMMITTEE**

The School Committee may, however establish subcommittees as it deems necessary. These subcommittees may be created for a specific purpose and to make recommendations for Committee action.

1. The subcommittee will be established through action of the Committee.
2. The subcommittee chairperson and its members will be appointed by the Committee chairperson, subject to approval by the Committee.
3. The subcommittee will be provided with a list of its functions and duties.
4. The subcommittee may make recommendations for Committee action, but it may not act for the School Committee.
5. The Committee chairperson and Superintendent will be ex-officio members of all special subcommittees.
6. A subcommittee will be dissolved by the Committee upon completion of its assignment, or it may be dissolved by a vote of the Committee at any time.

CROSS REF.: BEC, Executive Sessions

## **ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE**

The following general policies will govern the appointment and functioning of advisory committees to the School Committee other than the student advisory committee, which is governed by the terms of the Massachusetts General Laws.

1. Advisory committees may be created by the School Committee to serve as task forces for special purposes or to provide continuing consultation in a particular area of activity. However, there will be no standing overall advisory committee to the School Committee.
2. If an advisory committee is required by state or federal law, its composition and appointment will meet all the guidelines established for that particular type of committee.
3. The composition of task forces and any other advisory committees will be broadly representative and take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to the committee as members or consultants, as found desirable.
4. Appointments to such committees will be made by the Committee; appointment of staff members to such committees will be made by the Committee upon recommendation of the Superintendent.
5. Tenure of committee members will be one year only unless the member is reappointed.
6. Each committee will be clearly instructed as to:
  - a. The length of time each member is being asked to serve.
  - b. The assignment the School Committee wishes the committee to fulfill and the extent and limitations of its responsibilities.
  - c. The resources the School Committee will provide.
  - d. The approximate dates on which the School Committee wishes to receive major reports.
  - e. School Committee policies governing citizens, committees and the relationship of these committees to the School Committee as a whole, individual School Committee members, the Superintendent, and other members of the professional staff.
  - f. Responsibilities for the release of information to the press.
7. Recommendations of committees will be based upon research and fact.



8. The School Committee possesses certain legal powers and prerogatives that cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the School Committee.

The Committee will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the life of any committee.

CROSS REF.: JIB, Student Involvement in Decision-making  
KCB, Community Involvement in Decision-making

## **SCHOOL COUNCILS**

The School Committee believes that the school is the key unit for educational improvement and change and that successful school improvement is best accomplished through a school-based decision-making process. By involving those directly affected by any action or decision of the school council in the process of determining that action or decision, it helps to strengthen the commitment to those decisions by those most affected by its implementation.

Under this policy, the Principal shall have primary responsibility for the management of the school. Decisions which are made at the school level must be aligned with the budget, policies, curriculum, and long-range and short-range goals adopted by the School Committee. In addition, decisions must comply with any state and federal laws and regulations and with any negotiated agreements of the school district.

As enacted by the state legislature in the Education Reform Act of 1993, a school council shall be established in each school to advise the Principal in specific areas of school operation. The Principal, except as specifically defined in the law, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the Superintendent and School Committee.

The following guidelines define the role of the school council:

The School Council shall meet regularly with the Principal of the school and shall assist in:

1. Adoption of educational goals for the school that are consistent with state and local policies and standards.
2. Identification of the educational needs of the students attending the school.
3. Review of the school building budget.
4. Formulation of a school improvement plan that may be implemented only after review and approval by the School Committee.

LEGAL REFS.: M.G.L. 71:38Q, 71:59C

## **SCHOOL IMPROVEMENT PLAN**

The Principal, in conjunction with the school council, shall be responsible for preparing a written school improvement plan annually. This plan shall be written with the advice of the school council and submitted for approval to the Superintendent and the School Committee. The plan should be drafted with the following in mind:

1. The educational goals for the school consistent with the goals and standards, including student performance standards, as adopted by the Massachusetts Board of Education and by the School Committee.
2. An assessment of the needs of the school in light of the proposed educational goals.
3. The means to address student performance.
4. Professional development for the school's professional staff.
5. The enhancement of parental involvement in the life of the school, safety, and discipline.
6. The development of means for-meeting the diverse learning needs of every child.
7. Any further subjects as the Principal, in consultation with the school council, shall consider appropriate, except that
  - a. The council shall have no authority over matters that are subject to Chapter 150E, the collective bargaining law, and,
  - b. The council may not expand the scope of its authority beyond that established in law or expressly granted by School Committee policy.

## **SUBMISSION AND APPROVAL OF THE SCHOOL IMPROVEMENT PLAN**

The written school improvement plan shall be submitted by the Principal to the Superintendent and the School Committee for review and approval by November of each year.

Because the implementation of the plan is dependent on School Committee approval, it is important that the school council be aware of certain expectations of the School Committee regarding the school improvement plan. The school improvement plan should:

1. Focus on improvement of student learning.
2. Specify expected student outcomes and measurable/observable results.
3. Align with the Mission of the school district and any goals and policies of the school district.
4. Be consistent with state and federal law, school district policy, established curriculum and negotiated agreements.
5. Clearly identify actions to be taken on how changes will be implemented.
6. Include a plan on how to solicit community support for the changes being developed.
7. Indicate anticipated costs and available funding sources.
8. Delineate the method of evaluating and reporting progress and results.

If the school improvement plan is not approved by the Superintendent and School Committee, it shall be returned to the Principal with specific comments as to the reason(s). The Principal shall revise the plan in cooperation with the school council, and resubmit it for approval. If the school improvement plan is not reviewed by the School Committee within 30 days of its receipt by the Committee, the plan shall be deemed to have been approved.

## **CONDUCT OF SCHOOL COUNCIL BUSINESS**

The Principal shall, by law, serve as co-chair of the council. The second co-chair will be elected annually by the council members at its first meeting of the school year subsequent to the elections of new council members. The co-chairs will be responsible for the preparation of the agenda for the council meetings.

The school council shall meet at least once monthly during the school year. Meetings will be held outside of school hours. At its first meeting of the school year, the council will set its calendar of regular meetings for the year. Where circumstances warrant, the council may choose to call additional meetings.

Consensus shall be used by school councils as the primary method to resolve issues and to formulate recommendations. Votes by majority may be taken at the discretion of the Principal and Roberts Rules of Order shall prevail if there are questions of procedure.

All meetings of the school council shall conform to the Open Meeting Law, Section 23 A, B, and C, which stipulates that all meetings be open to the public, that meetings be posted at least 48 hours in advance, and that minutes of the meeting shall be maintained as required. The scope of the school council does not require, and therefore does not qualify for, executive session.

The Superintendent shall receive agendas and minutes of all school council meetings. The Superintendent shall provide copies of these materials to members of the School Committee as requested.

## SCHOOL COUNCILS

At each public elementary, secondary and independent vocational school in the Commonwealth there shall be a school council consisting of the school Principal, who shall co-chair the council; parents of students attending the school who shall be selected by the parents of students attending such school who will be chosen in elections held by the local recognized parent teacher organization under the direction of the Principal, or if none exists, chosen by a representative process approved by the School Committee. Said parents shall have parity with professional personnel on the school councils; teachers who shall be selected by the teachers in such school; other persons, not parents or teachers of students at the school, drawn from such groups or entities as municipal government, business and labor organizations, institutions of higher education, human services agencies or other interested groups; and for schools containing any of the grades nine to twelve, at least one such student; provided, however, that not more than fifty percent of the council shall be non-school members. The Principal, except as otherwise provided herein, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the Superintendent and School Committee and for convening the first meeting no later than forty days after the first day of school, at which meeting a co-chairperson shall be selected. School councils should be broadly representative of the racial and ethnic diversity of the school building and community. For purposes of this paragraph the term *non-school members* shall mean those members of the council, other than parents, teachers, students and staff of the school.

Nothing contained in this section shall require a new school council to be formed if an existing school council fulfills the intent of this section, the parent and teacher members thereof were selected in a manner consistent with the provisions of this section and the membership thereof complies with the aforesaid fifty percent requirement

Members of the school council shall be subject to the provisions of sections twenty-three, twenty-three B and twenty-three C of chapter thirty-nine.

The school council shall meet regularly with the Principal of the school and shall assist in the identification of the educational needs of the students attending the school, in the review of the annual school budget, and in the formulation of a school improvement plan, as provided below.

The Principal, in consultation with the school council established pursuant to this section shall adopt educational goals for the school consistent with the goals and standards including the student performance standards, adopted by the board pursuant to section one D of chapter sixty-nine, and consistent with any educational policies established for the district, shall assess the needs of the school in light of those goals, and shall formulate a school improvement plan to advance such goals, to address such needs and to improve student performance. The plan shall include an assessment of the impact of class size on student performance, and shall consider student-to-teacher ratios and other factors and support of adult resources and may include a scheduled plan for reducing class size. The plan

shall address professional development for the school's professional staff, the allocation of any professional development funds in the annual school budget, the enhancement of parental involvement in the life of the school, safety and discipline, the establishment of a welcoming school environment characterized by tolerance and respect for all groups, extracurricular activities, the development of means for meeting the diverse learning needs of as many children as possible, including children with special needs currently assigned to separate programs, within the regular education programs at the school, and such further subjects as the Principal, in consultation with the school council, shall consider appropriate. In school districts with language minority student populations the professional development plan under this section shall specify how the plan will address the need for training and skills in second language acquisition and in working with culturally and linguistically diverse student populations. The school improvement plan shall be submitted to the School Committee for review and approval every year. If said school improvement plan is not reviewed by the School Committee within thirty days of said School Committee receiving said school improvement plan, the plan shall be deemed to have been approved.

Nothing contained in this section shall prevent the School Committee from granting a school council additional authority in the area of educational policy; provided, however, that school councils shall have no authority over matters which are subject to chapter one hundred and fifty E of the General Laws.

Added by St. 1993, c.71, s.53.

LEGAL REF.: M.G.L. 71:59C

**STUDENT ADVISORY COMMITTEE/STUDENT POLICY INPUT**

The School Committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity. Students will be welcomed at School Committee meetings and granted privileges of speaking in line with the privileges extended to the general public and as stated in the School Committee policy as adopted on January 19, 1995.

As required by M.G.L. Ch.71, Sec. 38M, the School Committee will meet at least once every other month while school is in session with its student advisory committee which is elected by the high school student body according to an election procedure approved by the School Committee.



## **SCHOOL ATTORNEY**

The School Committee will hire district counsel. The Committee and the Superintendent may seek his/her services to counsel and represent the school system at various times.

However, because the complexity of school department operations often requires specialized legal services, the Committee may also retain an attorney or law firm to provide additional legal services.

It will be the duty of the counsel for the Committee to advise the School Committee and the Superintendent on the specific legal problems submitted to him/her. He/she will attend meetings upon request and will be sufficiently familiar with Committee policies, practices, and actions under these policies, and with requirements of the school law to enable him/her to offer the necessary legal advice.

A decision to seek legal advice or assistance on behalf of the school system will be made by the Committee. The Superintendent may also take such action at the direction of the Committee.

Many types of legal assistance are routine and do not require specific Committee approval or prior notice. However, when the Superintendent concludes that unusual types or amounts of professional legal service may be required, he or she should advise the Committee and seek either initial or continuing authorization for such service.

LEGAL REFS.: M.G.L. 71:37E: 71:37F

## SCHOOL COMMITTEE MEETINGS

It shall be the policy of the Somerset Berkley Regional School District that the Committee shall hold regularly scheduled meetings each month.

It shall be the policy of the Somerset Berkley Regional School District that the Committee shall hold an annual reorganization meeting at the next regular meeting following the Town Elections. The first order of business shall be the election of the Chairperson.

The School Committee will transact all business at official meetings of the Committee. These may be either regular or special meetings, defined as follows:

1. **Regular meeting**: the usual official legal action meeting, held regularly
2. **Special meeting**: an official legal action meeting called between scheduled regular meetings to consider specific topics.

Every meeting of the School Committee, regular or special, will be open to the public unless an executive session is held in accordance with state law.

LEGAL REFS.: M.G.L. 39:23A; 39:23B; 39:23C

CROSS REFS.: BEC, Executive Sessions  
BEDA, Notification of School Committee Meetings

## EXECUTIVE SESSIONS

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.
2. The Chairperson (or, in his/her absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.
3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.
4. The Chairperson or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual to be discussed in such executive session shall be notified in writing by the Committee at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the party.

2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.
5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.
7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.
8. To consider and interview applicants for employment by a preliminary screening committee. This exemption only applies if it can be determined that an open meeting will have a detrimental affect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.
9. To meet or confer with a mediator with respect to any litigation or public business.
10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

(In the first case, an open meeting will be held if the individual involved so requests.)  
Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent or their designees will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

Established by law and Committee policy

Source: MASC

Legal Refs.: M.G.L. 30A:21;30A:22

Cross Refs.: BDE, Subcommittees of the School Committee

BE, School Committee Meetings

KEB, Public Complaints about School Personnel

Somerset Berkley Regional School District

*Adopted by the Somerset Berkley Regional School Committee September 27, 2012*

## **NOTIFICATION OF SCHOOL COMMITTEE MEETINGS**

As required by law, a minimum of 48 hours' advance notice will be given for any meeting of the School Committee, including all subcommittee meetings. The only exception permitted is in case of emergency, which the law defines as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action."

Notification of the dates, times, and places of regular meetings will be accomplished by periodic publication of the schedule for the ensuing months. Notification of a change in a regular meeting time or place and notification of a special meeting will be filed with the town clerks at least 48 hours in advance, as required by law.

LEGAL REFS.: M.G.L. 39:23A, 23B

CROSS REF.: BE, School Committee Meetings

## **AGENDA FORMAT**

The Superintendent, conferring with the Chairperson and Vice Chairperson of the School Committee, will arrange the order of items on meetings agendas so that the Committee can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping, with the business at hand.

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appealing before the Committee, or to expedite Committee business.

Items of business may be suggested by any School Committee member, staff member, or citizen. The inclusion of such items, however, will be at the discretion of the Chairperson of the Committee. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent.

The agenda will also provide for time when any citizen who wishes may speak briefly before the School Committee.

The agenda, together with supporting materials, will be distributed to School Committee members three days prior to the meeting to permit adequate time to prepare for the meeting.

Agendas will be posted and made available to the press according to the open meeting law.

## **RULES OF ORDER**

Robert's Rules of Order, Newly Revised will govern the proceedings of the Committee, except when those rules are in conflict with the Committee's approved policies and regulations.

In accordance with Robert's Rules, the Committee may suspend parliamentary rules of order by a two-thirds vote.

The School Committee will adopt public participation at School Committee meetings – Rules of Order.



## **VOTING METHOD**

Except on procedural matters, all votes of the School Committee will be taken by a call of the roll and the ayes and nays will be recorded in the minutes; if the vote is unanimous only that fact need be recorded.

All actions will require a majority vote of all members present and voting except as state law, Robert's Rules of Order, Newly Revised, or policies of this Committee require a larger majority. A majority of the members of the School Committee will constitute a quorum.

A two-thirds vote will be required to suspend parliamentary rules of order.

LEGAL REFS.: M.G.L. 39:23B; 71:42; 71:50

## **MINUTES**

It shall be the policy of the Somerset Berkley Regional School District that the Superintendent of Schools will serve as secretary to the Committee. A recording secretary will be appointed by the School Committee to assist the Superintendent in the maintenance of minutes for the meetings.

The minutes shall include the following information about the meeting:

- Date
- Time
- Place
- Members present or absent.
- Action taken at the meeting. This includes a summary of every discussion, exchange of ideas or deliberations, whether or not a vote was taken.
- Record of vote(s) taken. (All votes shall be recorded in the minutes).
- Include requirements from the open meeting law.

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

## **PUBLIC PARTICIPATION AT COMMITTEE MEETINGS**

In order to provide for full and open communication between the public (students, teachers, administrators, and members of the community) and the School Committee, the Committee authorizes several avenues for the exchange of information, ideas and opinions. Each operates within the framework of the Committee's scheduled meetings.

1. Written correspondence may be directed to the School Committee through the School Committee Chair or through the Superintendent of Schools.

Written correspondence should be addressed to:

School Committee Chair or Superintendent of Schools  
Somerset Berkley Regional School District  
580 Whetstone Hill Road  
Somerset, MA 02726

2. Any person wishing to have an issue addressed by the School Committee may place said item on the agenda by presenting the request in writing to the Superintendent. To be considered, said request must be received at least five (5) working days prior to the School Committee meeting. The School Committee will act only upon issues which have been listed on the agenda.
3. Any person may address the School Committee during the "Other Matters" section of the Committee agenda upon recognition by the Chair. The Chair will be responsible for recognizing all speakers who will properly identify themselves, for maintaining proper order, and for adherence to any time limits set. Questions asked by the public will, when possible, be answered immediately by the Chair or referred to the Superintendent of Schools. Questions requiring further investigation will be referred to the Superintendent for future consideration and later response.
  - At the start of each regularly scheduled School Committee meeting, individuals or group representatives will be invited to address the Committee. The length of the public participation segment shall be determined by the chairperson.
  - Speakers will be allowed five (5) minutes to present their material. The presiding Chairperson may permit extension of this time limit.
  - Improper conduct and remarks will not be allowed. Defamatory or abusive remarks are always out of order. If a speaker persists in improper conduct or remarks, the Chairperson may terminate that individual's privilege of address.
  - All remarks will be addressed through the Chairperson of the meeting.
  - Speakers may offer such objective criticisms of the school operations and programs as concern them, but in public session the Committee will not hear personal complaints of school personnel nor against any member of the school community. Under most circumstances, administrative channels are the proper means for disposition of legitimate complaints involving staff members.

- Written comments longer than five (5) minutes may be presented to the Committee before or after the meeting for the Committee members' review and consideration at an appropriate time.
4. From time to time, the School Committee may schedule a public hearing on any matter of concern to the community, including the annual budget.
  5. Copies of School Committee agendas, in most cases, are available to the public two (2) days prior to School Committee meetings. Said agendas are available at the Central Administration Office, 580 Whetstone Hill Road, Somerset, MA 02726. Copies of amended agendas are available from the Superintendent at meeting times.

LEGAL REF:           M.G.L. 39B:23C

## **SPECIAL PROCEDURES FOR CONDUCTING HEARINGS**

In conducting all public hearings required by law, and others as it deems advisable, the School Committee will:

1. Give due and public notice in line with statutory requirements and seek to publicize the meeting in all local media.
2. Make available printed information on the topic of the hearing.
3. Give all persons an equal opportunity to be heard in accordance with the Committee's policy.

The Chairperson of the Committee will preside at the hearing.

The public will be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Committee, or by others for the Committee; to comment, citizens must be recognized by the Chair, and all remarks must be addressed to the Chair and be germane to the topic. To assure that all who wish get a chance to speak, the Chair will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

## **SCHOOL COMMITTEE POLICY DEVELOPMENT**

The School Committee will develop policies and put them in writing so that they may serve as guides for the discretionary action of those to whom it delegates authority.

The formulation and adoption of these written policies will constitute the basic method by which the School Committee will exercise its leadership in providing for the successful and efficient functioning of the school system. Through the study and evaluation of reports concerning the execution of its policies, the School Committee will exercise its control over school operation.

The School Committee accepts the definition of policy set forth by the National School Boards Association:

Policies are principles adopted by a School Committee to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting day-to-day problems, yet be specific enough to give clear guidance.

The policies of the School Committee are framed, and are meant to be interpreted, in terms of state law, regulations of the Massachusetts Board of Education, and other regulatory agencies of the various levels of government.

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The policies of the School Committee are framed, and are meant to be interpreted, in terms of state law, regulations of the Massachusetts Board of Education, and other regulatory agencies of the various levels of government.

## **POLICY ADOPTION**

Adoption of new policies or changing existing policies is solely the responsibility of the School Committee. Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the School Committee when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as an agenda item to the Committee in the following sequence:

1. Information item—distribution with agenda
2. Discussion item—first reading of proposed policy or policies; response from Superintendent; report from any advisory committee assigned responsibility in the area; Committee discussion and directions for any redrafting
3. Action item—discussion, adoption or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence to meet emergency conditions.

The School Committee may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the School Committee. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation.



## **POLICY REVISION AND REVIEW**

In an effort to keep its written policies up to date so that they can be used consistently as a basis for School Committee action and administrative decision, the Committee will review its policies on a regular basis.

The Committee will evaluate how the policies have been executed by the school staff and will weigh the results. It will rely on the school staff, students, and the community for providing evidence of the effect of the policies it has adopted.

The Superintendent is given the continuing commission of calling to the Committee's attention all policies that are out of date or for other reason appear to need revision.

The School Committee directs the Superintendent to periodically recall all policy and regulations manuals for administrative updating and Committee review.

## **SCHOOL COMMITTEE REVIEW OF REGULATIONS**

It is expected that the Superintendent and administrative staff will need to issue regulations implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the regulations developed by the Superintendent for the school system whenever they appear inconsistent with policy, goals, or objectives of the district, but it will revise or veto such regulations only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve regulations except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for a regulation to have the Committee's advance approval.

### Rules Pertaining to Staff and Student Conduct

Under Massachusetts law, the Superintendent is required to publish "rules and regulations pertaining to the conduct of teachers and students which have been adopted." (Codes of discipline, as well as procedures used to develop such codes, shall be filed with the Department of Education for information purposes only.) Standards of conduct will be included in staff and student handbooks. These handbooks will be reviewed and approved annually by the School Committee.

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

## **POLICY DISSEMINATION**

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Committee and the regulations needed to put them into effect.

Accessibility is to extend at least to all employees of the school system, to members of the Committee, and, insofar as conveniently possible, to all persons in the community. A policy concerning a particular group or groups in the schools will be distributed to those groups prior to the policy's effective date.

All policy manuals distributed to anyone will remain the property of the Committee and will be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary for purposes of updating.

The School Committee's policy manual will be considered a public record and will be available for inspection at the Superintendent's office, the Somerset Public Library, Berkley Public Library, and the Regional High School.

## **SUSPENSION OF POLICIES**

The operation of any section or sections of School Committee policies not established by law or contract may be temporarily suspended by a two-thirds vote of Committee members present at any regular or special meeting. Any action to suspend policy must be reviewed at the next scheduled meeting and will be so noted on the agenda for that meeting.

## **SCHOOL COMMITTEE-STAFF COMMUNICATIONS**

The School Committee wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent.

### Staff Communications to the School Committee

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

### School Committee Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep staff fully informed of the Committee's problems, concerns and actions. School Committee members will use their discretion, and will follow all provisions of state ethics and conflicts of interest law when contacting staff members to ensure that they are not perceived as acting in a supervisory capacity, using their position to gain any advantage not available to any other parent or citizen, and not acting in an inherently coercive way or applying undue pressure on an employee.

### Visits to Schools

Individual School Committee members interested in visiting the school or classrooms other than during public functions will inform the Superintendent and Principal of the Somerset Berkley Regional High School of such visits and make arrangements for visitations through the Principal of the Somerset Berkley Regional High School. Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Committee members will be carried on only under Committee authorization.

## **USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS**

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to electronic mail (e-mail), internet web forums, and internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. "Deliberation" is defined as movement toward a decision including but not limited to the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the School Committee chairperson, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic correspondence between and among members of the School Committee. These copies shall be printed and retained in the central office in the same fashion as any other School Committee records. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

LEGAL REFS.: M.G.L. 4:7; 39:23A, 23B; 66:10

## **NEW SCHOOL COMMITTEE MEMBER ORIENTATION**

In accordance with the requirements of Massachusetts General Law Chapter 71, Section 36A as amended on December 24<sup>th</sup>, 2002, each new School committee member elected to the School committee is required to complete, within one year, of their election or appointment, at least eight hours of orientation training. This orientation shall include, but is not limited to, a review of School Finance, the Open Meeting law, Public Records Law, Conflict of Interest Law, Special Education Law, Collective Bargaining, School Leadership Standards and Evaluations, and the Roles and Responsibilities of School Committee Members.

The School Committee chairperson and the Superintendent shall assist each new member to understand the policies and procedures of the Committee as soon after election as possible. All new members shall receive copies of all agendas, reports, and other communications received by Committee members.

The School Committee and Superintendent shall assist each new member to understand the Committee's functions, policies and procedures of the Committee as soon after election as possible. Each new member shall be given the following materials:

- A. A copy of the School Committee policy manual
- B. A copy of the Open Meeting Law
- C. A copy of the Conflict of Interest Regulations
- D. A copy of the district's budget
- E. Collective bargaining agreements and contracts
- F. Student and staff handbooks

Each new member shall also receive any other materials the Chair and/or the Superintendent determine to be necessary.

LEGAL REFS,: M.G.L. 71 Sec. 36A

## **SCHOOL COMMITTEE CONFERENCES, CONVENTIONS AND WORKSHOPS**

To provide continuing in-service training and development for its members, the School Committee encourages the participation of all members at appropriate School Committee conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the Committee establishes these principles and procedures for its guidance.

1. A calendar of School Committee conferences, conventions and workshops will be maintained by the Committee secretary. The Committee will periodically decide which meetings appear to be the most promising in terms of producing direct and indirect benefits to the school system. At least annually, the Committee will identify those new ideas or procedures and/or cost benefits that can be ascribed to participation at such meetings.
2. Funds for participation at such meetings will be budgeted for an annual basis. When funds are limited, the Committee will designate which of its member would be the most appropriate to participate at a given meeting.
3. Reimbursement to Committee members for their travel expenses will accord with the travel expense policy for staff members.
4. When a conference, convention or workshop is not attended by the full Committee, those who do participate will be requested to share information, recommendations and materials acquired at the meeting.

LEGAL REFS.: M.G.L. 40:5



## **SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES**

The School Committee shall serve without compensation, except that a member of a School Committee of a city, town, regional school district or superintendency union may be compensated for his/her services by a majority vote of the city council in a city having a Plan D or Plan E charter; in a city not having a Plan D or Plan E charter by vote of the city council, subject to the provisions of the charter of such a city; in a town by a majority vote at a town meeting; and in a regional school district or school superintendency by a majority vote of the voting member towns authorized at their respective town meetings, the amount of such compensation, in each case, to be set by the respective cities, towns or groups of towns. No member of a School Committee in any town shall be eligible to the position of teacher or Superintendent of public schools therein, or in any union school or superintendency union or district in which his/her town participates.

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Committee, members may be reimbursed from school funds.

Reimbursable expenses may include the cost of attendance at conferences of School Committee associations and other professional meetings or visitations when such attendance and expense Payment has had prior School Committee approval.

LEGAL REFS.: M.G.L. 40:5; 71:52

## **SCHOOL COMMITTEE MEMBERSHIPS**

The Committee will maintain memberships in the national, state and regional school committees (boards) associations and take an active part in the activities of these groups.

It may also maintain institutional memberships in other educational organizations, which the executive officer and Committee find to be of benefit to members and personnel.

The materials and benefits of institutional memberships will be distributed and used to the best advantage of the Committee and staff.

## **SOMERSET BERKLEY REGIONAL SCHOOL COMMITTEE**

### **SCHOOL COMMITTEE MEETINGS REMOTE PARTICIPATION**

The Somerset Berkley Regional School Committee (the “Committee”) strongly recommends that members physically attend all posted school committee meetings whenever possible. The Committee acknowledges its responsibility to ensure that remote participation is not used in any way that defeats the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

A member of the Committee or any subcommittee thereof may participate remotely if the chair or, in the chair’s absence, the person chairing the meeting, determines that one of the following factors makes the member’s physical attendance unreasonably difficult:

- Personal illness;
- Personal disability;
- Emergency;
- Military service; or
- Geographic distance.

Members may utilize remote participation at meetings subject to the following procedures and restrictions.

- A request for remote participation must be made to the chair as soon as reasonably possible but not less than 24 hours in advance of the meeting stating the reason for and facts supporting the request to participate remotely. The chair shall have sole and absolute discretion to permit remote participation with less than 24 hours’ notice in extraordinary circumstances arising less than 24 hours prior to this meeting.
- A quorum of the Committee including the chair or, in the chair’s absence, the person authorized to chair the meeting, must be physically present at the meeting location.
- The chair must announce at the beginning of the meeting the name of the person participating remotely and the reason therefore.

- The participant and all people in attendance at the meeting must be able to hear each other, and in the use of video technology, must be able to see each other.
- Acceptable means of remote participation include telephone, internet, or satellite enabled audio or video conferencing, or any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.
- All votes taken in the open meeting must be roll call votes and recorded in the minutes. Members participating remotely may vote and shall be deemed present at the meeting.
- Members may participate in an executive session provided the remote participant states that no other person is present and/or is able to hear the discussion at the remote location, provided, however, the chair may preclude the remote participation in an executive session if the chair determines in his/her sole discretion that the confidentiality of the executive session may be compromised.

The chair shall announce the remote participant(s), the reason for remote participation, and the means of remote participation at the beginning of the meeting. The minutes shall reflect these conditions, the beginning of remote participation, any technical difficulties, any interruption in the remote participation, and the time of interruption or disconnection of remote participation. The chair, or in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but whenever possible, suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or to be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

Any cost associated with remote participation other than normal telephone or internet connection shall be borne by the remote participant.

Reference: 940 CMR 29.10: Remote Participation  
M.G.L. Chapter 30A  
M.G.L. Chapter 39: Section 23A and 23B

Adopted by the Somerset Berkley Regional School Committee:  
September 4, 2013

***Somerset Berkley Regional School District***

**SHARED HIRING PERSONNEL PROCESS**

1. Determined that a shared position between the Somerset School Committee and the Somerset Berkley School Committee will become vacant on a certain date.
2. Search Committee appointed – The two chairs organize the search committee and call the first meeting.
  - a. Two members from Regional Board and two members from the Somerset Board
  - b. One administrator from Somerset and one administrator from Berkley
3. Search Committee elects a chair and vice chair and the search committee establishes a search timeline
4. Search for shared positions:
  - a. An outside consultant can be hired to assist the search committee
  - b. The costs for the search will be shared equally between the two school committees
  - c. The search committee can conduct the search without a consultant according to an approved procedure by both committees.
5. Candidates are recommended to school committees by the search committee.
6. The two school committees meet jointly to;
  - a. Interview the final candidates
  - b. The two school committees vote to appoint the shared position
  - c. Separate votes are taken and both committees agree on the person to hire by a majority vote of each committee.
  - d. The candidate is not appointed unless both committees agree by a separate majority votes in favor of hiring.
7. Contract negotiated and approved by both Committees
  - a. Chair and vice chair of both committees meet to formulate the contract.
  - b. Chair and vice chair of both committees meet with the shared position person elect to negotiate the contract.
  - c. The chair and vice chair take the contract back to their respective committee for a vote. The vote is by majority of each board.

**File: BM**

8. Evaluation of the Superintendent:
  - a. Each school committee will conduct an evaluation of the superintendent according to the instrument agreed upon in the contract and according to the Open Meeting Law.
  - b. The two committees meet in joint session to review the evaluation of the superintendent that each committee completed.
  
9. Contract renewal by both school committees:
  - a. Both school committees meet in joint session to discuss renewal or non renewal. Votes are taken by each committee. They need to come to a mutual agreement on the decision to renew by a majority vote of both committees.
  - b. The chair and vice chair for both committees meet to discuss renewal or non renewal of the contract.
    1. If both committees vote for renewal, then the chair and vice chair of both committees negotiate the contract and take it back to their respective committee for a vote.
    2. If the vote was for non renewal, the chairs of both committees need to follow the procedure as outlined in the contract.
  
10. Because the current contracts of the shared superintendent do not have the same expiration dates, this policy does not address the renewal or non renewal of the current superintendent contracts.

*Approved by the Somerset School Committee May 5, 2014*

*Approved by the Somerset Berkley Regional School Committee May 11, 2014*