

Line Item	Lincoln Policies Reviewed	MASC Policies Reviewed	Recommendation
1	GBA Equal Employment Opportunity	GBA EQUAL EMPLOYMENT OPPORTUNITY	Propose adopting MASC which was updated to include the protected classes according to the AG's office. The asterisk was added to address the CROWN Act, adopted in MA in 2022.
2	GBEA:BCB Conflict of Interest	GBEA STAFF ETHICS / CONFLICT OF INTEREST	Propose adopting MASC's which is more succinct and less prone for overreach. Confirmed by Parry. Small edit to reflect changes to state training process which is now online.
3	GBEAB Employee Use of Information and Communications Technologies	<u>GBEE PERSONNEL USE OF TECHNOLOGY</u>	<b>HOLD: Rob is reviewing with his team.</b>
4		GBEB STAFF CONDUCT	Propose adopting MASC, with additional specifics that many (over 30) other districts have adopted.
5	GBEBC Presents to School Personnel	GBEBC GIFTS TO AND SOLICITATIONS BY STAFF	Propose adopting MASC. Added cross-references. Note this policy primarily relates to exceptions to the conflict of interest law (and follows published guidance).
6		GBEBD ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING	Propose adopting MASC. Mary Ellen strongly suggested adopting this policy. Parry also supports it.
7	GBEC Drug-Free Workplace	GBEC DRUG-FREE WORKPLACE POLICY	Keep Lincoln. Add statement that our policy complies with all facets of the Drug Free Workplace act.
8		GBED TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED	Do not adopt. Covered in Section ADC.
9		GBGB STAFF PERSONAL SECURITY AND SAFETY	Propose adopting MASC.
10		GBGE DOMESTIC VIOLENCE LEAVE POLICY	Do not adopt, any legal requirements are outlined in the law.
11		GBGF FAMILY AND MEDICAL LEAVE	Do not adopt, covered by law.
12		GBI STAFF PARTICIPATION IN POLITICAL ACTIVITIES	Propose adopting MASC.

13		GBJ PERSONNEL RECORDS	Propose adopting MASC with one edit to address digital records.
14		GBK STAFF COMPLAINTS AND GRIEVANCES	Do not adopt. Covered by collective bargaining agreements and in part by SC policy CCB.
15	GCA Professional Staff Positions	GCA PROFESSIONAL STAFF POSITIONS	Keep Lincoln. Add statement "or when an existing position is significantly modified."
16	GCB Professional Staff Contracts and Compensation Plans		Propose removing - covered by MASC GCBA.
17		GCBA PROFESSIONAL STAFF SALARY SCHEDULES	Propose adopting MASC, and incorporate Lincoln GCBB which relates to salary. Add from Lincoln GCB "benefits, and conditions of employment". Add brief statement about benefits (from MASC GCBB). Change title to "Professional Staff Contracts and Compensation Plans" - since this now deals with more than just salary.
18	GCBB Establishment of Compensation Levels for Non-bargaining Unit Administrators Policy	<b>GCBB EMPLOYMENT OF PRINCIPALS</b>	Propose rescinding as a separate policy, as this is mainly a restatement of law. Much of this is covered by MASC's GCBA. Pulled statement about benefits and added to GCBA.
19		GCBC PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS	Do not adopt - covered in collective bargaining agreement.
20		GCE PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES	Do not adopt - covered in collective bargaining agreement.
21		GCF PROFESSIONAL STAFF HIRING	Propose adopting MASC.
22	GCFCA English Literacy for Teachers		Propose removing - since 2013, everyone needs to have certain coursework to be able to serve English language learners.
23	GCG Substitute Professional Staff Employment	GCG SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT	Keep Lincoln. Change to "long term" substitutes.
24		GCIA PHILOSOPHY OF STAFF DEVELOPMENT	Propose adopting MASC. This is covered in our bargaining agreement, but would like to state SC support for this. Minor wordsmithing.
25		GCJ PROFESSIONAL TEACHER STATUS	Do not adopt - covered in collective bargaining agreement.
26		GCK PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS	Do not adopt - covered in collective bargaining agreement.

27		GCO EVALUATION OF PROFESSIONAL STAFF	Propose adopting, with minor wordsmithing. Note "established by SC" means in collective bargaining. See documents for proposed edits to simplify and better match the evaluation process.
28		GCQF SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS	Propose adopting; this would cover anyone who is not part of the union agreement. This makes sure the teacher's rights are protected throughout the process.
29		GCRD TUTORING FOR PAY	Propose adopting; minor wordsmithing.
30		GDA SUPPORT STAFF POSITIONS	Propose adopting; minor wordsmithing.
31	GDB Support Staff Contracts and Compensation Plans	GDB SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS	Keep Lincoln.
32	GDB-1 Support Staff Contracts and Compensation Plans (Custodians and Secretaries)		Propose removing - we removed reference to contract for teachers, so keeping this consistent.
33	GDC Employment of Hourly Employees		Propose Keep Lincoln. Reviewed by admin and we still have staff who qualify.
34		GDD SUPPORT STAFF VACATIONS AND HOLIDAYS	Do not adopt; covered by employment contracts and collective bargaining agreements.
35		GDO EVALUATION OF SUPPORT STAFF	Do not adopt; Collective bargaining agreements now covering food services, ESPs, and custodians, and individual contracts for others

## **EQUAL EMPLOYMENT OPPORTUNITY**

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

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

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

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

CROSS REF.: AC, Nondiscrimination

## **STAFF ETHICS / CONFLICT OF INTEREST**

The School Committee expects members of its professional staff to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, parents/guardians, coworkers, and officials of the school district.

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 their duties and responsibilities in the school district. Nor will any staff member engage in any type of private business during school time or on school property.

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

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

Every two years, all current employees, including School Committee members, must complete the State Ethics Commission's online training. New employees must complete this training within 30 days of beginning employment and every 2 years thereafter.

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

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

## **STAFF CONDUCT**

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

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

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

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

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

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

## GIFTS TO AND SOLICITATIONS BY STAFF

### Gifts

The acceptance of gifts worth \$50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in their 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 their public position. Gifts worth less than \$50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of \$20 value is the same as 1 gift of \$80 if given in the same calendar year).

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

### Class Gifts

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents/guardians 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.

LEGAL REFS.: M.G.L. 268A:3; 268A:23  
930 CMR 5.00

CROSS REFS.: KHA, Public Solicitations in the Schools  
GBEBD, Online Fundraising and Solicitations – Crowdfunding  
KCD, Public Gifts to Schools

## **ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING**

School District employees shall comply with all of the following provisions relating to online solicitations and the use of crowdfunding services for school-related purposes as well as all applicable laws, regulations and district policies. No online fundraising may occur except as provided below.

The Superintendent shall have final authority to approve any online fundraising activities by school district employees and shall determine and communicate to Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy. The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation.

Any solicitation shall be for educational purposes only (field trips, supplies, supplemental materials, books, etc.). The solicitation of personal items (coats, nutritional snacks, etc.) shall only be to benefit students directly. To the extent an employee solicits any technology or software, the employee shall secure the prior written approval of the Director of Educational Operations and Technology prior to any such solicitation. Any employee seeking to display or post a photograph of a student in conjunction with a fundraising solicitation must first secure the written consent of the student's parent or guardian.

Employees shall not use a crowdfunding source, or set up their appeal in such a way, that they are asking for donations directly from people over whom the employee making the request has authority, or with whom the public employee is having official dealings (such as parents/guardians of student's in a teacher's classroom - the solicitation can say "Classroom X needs tissues and crayons," but it shouldn't be directed to parents/guardians who have shared email addresses with the teacher for purposes of communicating about their student).

Employees using crowdfunding services shall periodically disclose in writing to the Superintendent the names of all individuals whom the employee has directly solicited in any manner including but not limited to oral, written, or electronic solicitation. The Superintendent shall maintain these disclosures as public records available for public review.

Employees may only use crowdfunding services that send the items or proceeds solicited by the employee directly to the employee's school or to the school district. Employees must verify under the crowdfunding service's terms and conditions that they meet all requirements for such solicitation. Items or proceeds directly sent to employees are considered gifts to the employee and may result in violation of state ethics laws.

If an employee's proposal is approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

If a solicitation is not fully funded within the time period required by the crowdfunding service, or the solicitation cannot be concluded for any reason, every attempt will be made to return donations to the donors. Donations unable to be returned shall only be used as account credits for future solicitations.

Unless otherwise approved by the Superintendent in writing, all goods and/or proceeds solicited and received through any online solicitation shall become the property of the School Committee, and not of the individual employee who solicited the item(s) or funds. The employee is prohibited from taking any such item(s) or funds to another school or location, without the Superintendent's written approval.

LEGAL REFS: MGL 44:53A; 71:37A; 268A:3; 268A:23;  
Ethics Commission Advisory Opinion EC-COI-12-1;

CROSS REFS: GBEA, Staff Ethics/Conflict of Interest;  
GBEBC, Gifts To and Solicitations by Staff;  
KCD, Public Gifts to Schools

**NOTE: Crowdfunding services are defined as any online service used for the solicitation of goods, services, or money from a large number of people via the internet or other electronic network. Examples include GoFundme, Kickstarter, Indiegogo, YouCaring, and DonorsChoose.**

## **DRUG-FREE WORKPLACE**

The Lincoln Public Schools has recognized in the past the importance of maintaining a workplace which is drug and alcohol free to enhance the welfare of employees and students. The Drug-Free Workplace Act requires the Lincoln Public Schools to certify that it maintains a drug-free workplace as a condition of receiving federal grants and contracts and complies with the requirements of the Drug Free Workplace Act.. The requirements of this law give the Lincoln Public Schools the opportunity to reaffirm the following policy and its commitment to a workplace free of drugs and alcohol.

It is the policy of the Lincoln Public Schools to maintain an alcohol-free and drug-free workplace. The unlawful manufacture, distribution, dispensation, possession or non-medical use of controlled substances or alcohol is prohibited while on duty or on school department property. Any violations of this policy will be grounds for disciplinary action up to and including immediate suspension and dismissal.

It is a condition of employment that each employee abide by this policy and notify the Superintendent of Schools of any criminal drug conviction for a violation occurring in the workplace within five (5) days of such a conviction. The Lincoln Public Schools has an obligation to notify the appropriate federal agency within ten (10) days of receiving such a notice of conviction. Further, no later than thirty (30) days of notice of a conviction, the Superintendent of Schools will:

- a. take appropriate personnel action against such an employee, up to and including termination, or
- b. 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.

CROSS REFS.:           IHAMP, JICH

LEGAL REF.:           Drug-Free Workplace Act of 1988

Adopted at School Committee Meeting of March 9, 1992  
Revised at School Committee Meeting of November 3, 2016

## **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.

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

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

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

CROSS REFS.: EB, Safety Program

## **STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

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

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

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

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

## PERSONNEL RECORDS

Information about staff members is required for the daily administration of the school district, 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 their own personnel file.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include their written response in the file.
6. Lists of school district employees' names and home addresses will be released only to governmental agencies as required for official reports or by law.
7. Where appropriate, employee information may be maintained in a digital format, so long as doing so would not violate the provisions of any district collective bargaining agreements.

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

## **PROFESSIONAL STAFF POSITIONS**

All professional staff positions in the school system will initially be created 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 that has been created.

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

Adopted at School Committee Meeting of February 15, 2018

## **PROFESSIONAL STAFF CONTRACTS AND COMPENSATION PLANS**

### Teachers

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

### Principals and Administrators on Individual Contracts

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

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

CROSS REF.: GCBB, Employment of Principals

CONTRACT REF.: Teachers' Agreement

## **PROFESSIONAL STAFF HIRING**

Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. It is the responsibility of the Superintendent, and of persons to whom they delegate this responsibility, to determine the personnel needs of the school district and to locate suitable candidates. No position may be created without the approval of the School Committee. The District's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children

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

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

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

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

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45  
603 CMR 7:00, 26.00, and 44:00  
Acts of 2022, Chapter 117 -  
<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

## **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 long-term substitutes. The latter will be granted such additional benefits as approved by the School Committee.

Adopted at School Committee of February 15, 2018

## **PHILOSOPHY OF STAFF DEVELOPMENT**

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

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

1. Planned in-service programs and workshops offered within the school district from time to time; these may include participation by outside consultants.
2. Membership on curriculum development committees drawing personnel from within and outside the school district.
3. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings.

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.

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## EVALUATION OF PROFESSIONAL STAFF

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

The evaluation process will include:

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

Evaluation plans will include self-evaluation, goal-setting, observations, and feedback. The formal evaluations will be conducted in accordance with the requirements of collective bargaining agreements, individual contracts, and DESE guidelines.

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 any improvement or any continuing difficulty that is observed.

LEGAL REFS.: M.G.L. 69:1B; 71:38; 71:38Q; 150E; 152B  
603 CMR 35:00

CONTRACT REF.: Teachers' Agreement

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

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

When the Superintendent or a Principal determines that sufficient cause exists that a professional employee be suspended or dismissed from service in the school district, they 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 individual's bargaining unit.
4. Provide the individual involved with a written statement that will:
  - a. Indicate whether the action the Superintendent is taking is dismissal or suspension.
  - b. State the reason for the suspension or dismissal.
  - c. Guarantee that all procedures will be in accordance with due process of law.
  - d. Inform employees who have a right to request a hearing under appropriate laws that they may be represented at such a hearing by counsel of their choice.

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

## TUTORING FOR PAY

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

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

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

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

A teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. Schools cannot send home brochures for a particular tutoring service with students. Tutoring for pay is not to be done in the school building.

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 they are to be tutored.

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

## **SUPPORT STAFF POSITIONS**

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

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

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

## **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.

On an annual basis, compensation plans will be reviewed and rates of pay will be set by the School Committee for personnel not covered by collective bargaining agreements.

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

CONTRACT REFS.:            All Contracts

Approved at School Committee Meeting of April 23, 1984  
Revised at School Committee Meeting of March 18, 1985  
Revised at School Committee Meeting of October 29, 2001  
Revised at School Committee Meeting of May 26, 2016  
Revised at School Committee Meeting of October 7, 2021

## **EMPLOYMENT OF HOURLY EMPLOYEES**

### **Benefits for Hourly Employees:**

The district will maintain internal guidelines for benefits for those employees not covered by a collective bargaining agreement or individual employment contract. Administration will review any changes to these guidelines with the School Committee prior to implementation.

### **Hours and Terms of Employment:**

The work schedule and assignments of duties of each employee will be established by the appropriate Administrator.

Hourly employees as described above will be paid for actual hours worked and are not paid for their lunch break.

### **Wages:**

Hourly rates are determined annually by the School Committee.

LEGAL REF.:       M.G.L. 149:148C

Approved at School Committee Meeting of June 9, 2016