

## **SCHOOL COMMITTEE OPERATIONAL GOALS**

The School Committee is responsible to the people for whose benefit the school system 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.

SOURCE: MASC

## **SCHOOL COMMITTEE LEGAL STATUS**

The School Committee is the governing board of the city's public school system. Although it functions as a duly elected Committee of city government, the School Committee has, unlike other city 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.

Established by law

SOURCE: MASC

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 policymaking.** 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 schools 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.

### **Personnel Matters**

The Superintendent shall be appointed by vote of the Committee and shall directly report to the Committee as provided by law and perform all the duties that are prescribed by law and such other duties, not inconsistent there to, as a majority of the Committee may direct.

The School Committee shall appoint, upon the recommendation of the Superintendent, Assistant/Associate/Deputy Superintendent(s), School Business Administrator, Special Education Administrator, School Physician, School Nurses, and Supervisor of Attendance. Such positions shall not report directly to the School Committee.

SOURCE: MASC July 2016

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

[BDG](#), School Attorney

## **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 city'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 schools 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.

SOURCE: MASC

## **SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE**

In order to serve on the School Committee, an individual must be a registered voter in the city 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 City Clerk, 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.

Established by law

SOURCE: MASC

LEGAL REFS.: M.G.L. 30A:20; 41:1; 41:107  
M.G.L. 76:5 Amended 1993

## **SCHOOL COMMITTEE MEMBER RESIGNATION**

A current School Committee member who submits a resignation to the appropriate certifying authority terminates School Committee duties at the time of such resignation unless a later time is stated in the resignation.

Should a School Committee member move out of the city or District in which he or she holds office, that member shall be deemed to have vacated the office.

Established by law

SOURCE: MASC

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

## **UNEXPIRED TERM FULFILLMENT**

If a vacancy occurs in the School Committee by failure to elect, or otherwise, the City Council and the remaining members of the School Committee shall meet in joint convention and elect a suitable person to fill the vacancy until the first Monday in January following the next regular municipal election; and, if there should be a vacancy on said first Monday, it shall be filled at such regular municipal election for the balance of the unexpired term. The Mayor, if present, shall preside at the convention.

LEGAL REF.: M.G.L. 34:36; 41:11



## **SCHOOL COMMITTEE MEMBER ETHICS**

### **CODE OF ETHICS**

1. A School Committee member in his/her relations with his/her community should:
  - a. Realize that his/her primary responsibility is to the children.
  - b. Recognize that his/her basic function is to be policy-making and not administrative.
  - c. Remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
  - d. Be well informed concerning the duties of a Committee member on both a local and state level.
  - e. Remember that he/she represents the entire community at all times.
  - f. Accept the office as a Committee member as a 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.
2. A School Committee member in his/her relationship with his/her school administration should:
  - a. Endeavor to establish sound, clearly defined policies which will direct and support the administration.
  - b. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
  - c. Act only on the recommendations of the chief administrator in relevant matters of employment or dismissal of school personnel.
  - d. Give the administrator full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results. Power to dismiss school personnel is limited to dismissal of the Superintendent. (See M.G.L ch. 71, Sections 37, 42, and 59B).
  - e. Refer all complaints to the administrative staff for solution and only discuss them at Committee meetings if such solutions fail.
  - f. Preserve the right and obligation of teachers to teach controversial issues fairly and without bias.

3. A School Committee member in his/her relations to his/her fellow Committee members should:
  - a. Recognize that action at official meetings is binding and that he/she alone cannot bind the Committee outside of such meetings.
  - b. Realize that he/she should not make statements or promises of how he/she will vote on matters that will come before the Committee.
  - c. Uphold the intent of Executive Sessions and respect the privileged communication that exists in executive session.
  - d. 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 and information on school problems.
  - e. Make decisions only after all facts on a question have been presented and discussed.

SOURCE: Haverhill

## **COMMITTEE MEMBER CONFLICT OF INTEREST**

A School Committee member shall not have any direct personal and pecuniary interest in a contract with the school district, nor shall he or she furnish directly any labor, equipment, or supplies to the district.

In the event a Committee member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the school district, the Committee member shall declare his interest and refrain from debating, discussing, or voting upon the question or contracting with the company. Such disclosure shall be made in writing and shall be kept open to inspection by the public.

It is. not the intent of this policy to prevent the district from contracting with corporations or businesses because a Committee member is an employee of the firm, the policy is designed to prevent placing a Committee member in a position where his interest in the public schools and his interest in his place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

### Vendor Relations

The district will not purchase supplies, materials, or services from a member of the School Committee or from a member of his or her household or from a firm in which he or she holds a major interest.

LEGAL REFS: M.G.L. 268A:19, 20

Revised 10.98

SOURCE: Haverhill

## **SCHOOL COMMITTEE ORGANIZATIONAL MEETING**

For the purpose of organizing, the School Committee, at its first regular meeting following the beginning of the municipal year, will elect from its membership a President and Vice President, all of whom will hold their respective offices for a term of one year or until a successor is elected.

The Mayor shall act as the President Pro-Tem and preside over the reorganization of the Committee.

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 President will be made from the floor. The President will be elected by a majority roll-call vote by name 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 President will preside, calling for the election of a Vice President. The procedure used for their election will be the same as that for electing the President.

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

Except for the Mayor, members shall be seated by seniority, or in the case of a tie alphabetically, from left to right (looking from the audience).

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

SOURCE: MASC

## **SCHOOL COMMITTEE OFFICERS**

### **Duties of the President**

The President 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 President 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.

### **Duties of the Mayor – Ex-officio Chairperson**

As presiding officer at all meetings of the Committee, the Chair 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-President**

The Vice-President of the Committee will act in the absence of the president as presiding officer of the Committee and will perform such other duties as may be delegated or assigned to him/her. The Vice-President will during the summer months approve the warrants.

SOURCE: MASC

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

Note: The treasurer of the City serves as treasurer of the School Committee.

## **APPOINTED COMMITTEE OFFICIALS**

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

SOURCE: MASC

## COMMITTEE-SUPERINTENDENT RELATIONS

The Superintendent will keep the Committee informed in all matters relating to the operation of the schools which require action by the Committee or its members and regarding other matters which the Superintendent deems appropriate.

He/she will administer the schools in conformity with the adopted policies of the Committee, the State Board of Education, and state law making such administrative rules and regulations as may be necessary. He/she will be ultimately responsible for all areas reporting directly to him/her which include instruction, business management, personnel, pupil personnel, technical, vocational and continuing education, employee relations, information and community services, and federal and special programs. He/she will coordinate these functions to obtain the efficient operation of schools for the benefit of the total community.

The responsibilities of the Superintendent in a cooperative climate with the Committee are identified as:

<u>Committee</u>	<u>Superintendent</u>
1. To select a competent, established educational leader as Superintendent.	To administer effectively and provide the professional, educational leadership necessary.
2. To serve as a policymaking body.	To recommend sound policy and implement adopted policies by formulating and enforcing rules and regulations.
3. To allow the Superintendent to administer the schools.	To make Committee policy effective through efficient administration.
4. To exercise sound judgment in business affairs of the school department.	To keep the Committee informed on financial matters, do sound long-range planning, and keep current expenditures within the approved budget.
5. To deal always in an ethical, honest, straight-forward, open-and-above board manner with the Superintendent and the community.	To deal always in an honest, straight- forward, open-and-above board manner with the Committee, the staff, and the community.
6. To provide necessary personnel within budget limitations.	To present personnel needs to the Committee.
7. To approve an organizational pattern for the administration.	To make assignments for each position within the Committee's authorization.



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| 8. To take legal action required by the law.  | To recommend to the Committee all action required by law.   |
| 9. To examine and approve an annual budget  | To recommend to the Committee an annual budget.   |
| 10. To function as a Committee rather than as individuals.  | To deal with the Committee as a whole rather than with individual members.                            |
| 11. To carry on communications with staff members through the Superintendent.                           | To see that the staff can have necessary communication through The Superintendent with the Committee. |
| 12. To hold the Superintendent accountable for results.   | To accept responsibility for results.   |
| 13. To remember that schools exist for the benefit of the students and the community.                   | To remember that schools exist for the benefit of the students and the community.                     |
| 14. To fulfill such other duties required by regulations of the State Board of Education and state law. | To fulfill such duties required by regulations of the State Board of Education and state law.         |

SOURCE: Haverhill

## **SUBCOMMITTEES OF THE SCHOOL COMMITTEE**

The School Committee shall appoint members to subcommittees at their annual organizational meeting for a period of one year. 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 President will appoint the subcommittee chairperson and its members.
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. All subcommittees of the School Committee are subject to the provisions of the Open Meeting Law.

SOURCE: MASC

LEGAL REF.: M.G.L. 30A:18-25

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 School 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.

9. Advisory committees created under this policy are subject to the provisions of the Open Meeting Law.

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.

SOURCE: MASC

LEGAL REF.: M.G.L. 30A:18-25

CROSS REF.: JIB, Student 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 Superintendent.

SOURCE: MASC

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 review of 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.

SOURCE: MASC

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

The written school improvement plan shall be submitted by the Principal to the Superintendent for approval and the School Committee for review no later than July 1 of the year in which the plan is to be implemented.

Because the implementation of the plan is dependent on Superintendent approval, it is important that the school council be aware of certain expectations 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, 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 Superintendent does not review the school improvement plan within 30 days of its receipt, the plan shall be deemed to have been approved.

SOURCE: MASC

## **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.

School councils shall use consensus as the primary method to resolve issues and to formulate recommendations. Votes by majority may be taken at the discretion of the Principal and Robert's Rules of Order shall prevail if there are questions of procedure.

All meetings of the school council shall conform to the Open Meeting Law, Chapter 30A, Section 18-25, which stipulate 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 upon request.

SOURCE: MASC



## **SCHOOL ATTORNEY**

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/she will advise the Committee and seek either initial or continuing authorization for such service.

The School Committee may use the services provided by the city counsel. The Committee and the Superintendent may seek his/her services to counsel and represent the school system at various times.

SOURCE: MASC

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

## **SCHOOL COMMITTEE MEETINGS**

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.

SOURCE: MASC

LEGAL REFS.: M.G.L. 30A:18-25

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 has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.
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. And to consider and interview applicants for employment by a preliminary screening committee (The only position that the school committee would be involved in that might qualify would be for the position of Superintendent.) 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 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

## **NOTIFICATION OF SCHOOL COMMITTEE MEETINGS**

As required by law, a minimum of 48 hours' advance notice (excluding Saturdays, Sundays and legal holidays) 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 may be accomplished by periodic publication of the schedule for the ensuing months. However, a minimum of 48 hours prior to each meeting the Committee shall cause to be posted a listing of each subject the Chair reasonably anticipates will be discussed at the meeting (the agenda). Notification of a change in a regular meeting time, place, or agenda and notification, including agenda, of a special meeting will be filed with the town clerk at least 48 hours in advance, as required by law.

SOURCE: MASC July 2016

LEGAL REFS.: M.G.L. [30A:18](#)-25

CROSS REF.: [BE](#), School Committee Meetings

## **AGENDA FORMAT**

The Superintendent, conferring with the Chair 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 appearing before the Committee, or to expedite Committee business.

Any School Committee member, staff member, or citizen may suggest items of business. The inclusion of such items, however, will be at the discretion of the Chair 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 no less than three business days prior to the meeting to permit adequate time to prepare for the meeting.

Agendas will be posted and made available to the press.

SOURCE: MASC July 2016

CROSS REFS: [BEDH](#), Public Comment at School Committee Meetings

## **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.

SOURCE: MASC

## **VOTING METHOD**

### **Open meeting**

Votes of the School Committee will be taken by voice vote or a hand count and shall be recorded in the minutes. If the vote is unanimous only that fact need be recorded. No vote taken at an open session shall be by secret ballot.

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.

### **Executive Session**

A majority of the members of the School Committee must vote to enter into executive session, with the vote taken by roll call and recorded in the official minutes.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions. Any votes taken to ratify employment contracts or collective bargaining agreements shall be taken in open session.

SOURCE: MASC

Updated July 2012

LEGAL REFS.: M.G.L. 30A:18-25; 71:42; 71:50



## **MINUTES**

The minutes of a School Committee meeting constitute the written record of Committee actions; they are legal evidence of what the action was. Therefore, the secretary of the School Committee will be responsible for reporting in the minutes all actions taken by the Committee.

Minutes will include:

1. A statement on the nature of the meeting (regular or special), the time, the place, and the approval of the last regular and each subsequent special meeting.
2. Names of the members present or absent, annotated as to arrival and departure times, if during the meeting.
3. A complete record of official actions taken by the Committee relative to the Superintendent's recommendations, to communications, and to all business transacted. Resolutions and motions will be given in their exact wording, accompanied by the names of members moving and seconding and a record of the results of the vote. Reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
4. Notation of formal adjournment.

Copies of the minutes will be sent to all Committee members at least 48 hours in advance of the meeting at which the minutes are to be approved.

The approved minutes will become permanent records of the Committee. Minutes of public meetings and minutes of executive sessions that have been declassified will be in the custody of the Superintendent who will make them available to interested citizens upon request.

SOURCE: MASC

LEGAL REFS.: M.G.L. 30A:22; 66:10

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

## **PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS**

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desires citizens of the District to attend its meetings so that they may become better acquainted with the operations and the programs of our local public schools. In addition, the Committee would like the opportunity to hear the wishes and ideas of the public.

In order that all citizens who wish to be heard before the Committee have a chance and to ensure the ability of the Committee to conduct the District's business in an orderly manner, the following rules and procedures are adopted:

1. At the start of each regularly scheduled School Committee meeting, individuals or group representatives will be invited to address the Committee. The Chairperson shall determine the length of the public comment segment.
2. Speakers will be allowed three (3) minutes to present their material. The presiding Chairperson may permit extension of this time limit.
3. Topics for discussion must be limited to those items listed on the School Committee meeting agenda for that evening.
4. 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.
5. All remarks will be addressed through the Chairperson of the meeting.
6. 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.
7. Written comments longer than three (3) minutes may be presented to the Committee before or after the meeting for the Committee members' review and consideration at an appropriate time.

SOURCE: MASC

## GUIDELINES FOR PUBLIC COMMENT

A School Committee Meeting is a meeting of a government body at which members of the body deliberate over public business. We welcome the attendance of members of the school district community to view your School Committee as it conducts its regular business meeting.

Massachusetts General Laws Chapter 30A Section 20(f) governs public participation at open meetings covering all public bodies.

### ***Chapter 30A:20 [Notice, Remote Participation, Public Participation, Certification]***

*(f) No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.*

The School Committee believes that the school district community should have an opportunity to comment to the Committee on issues that affect the school district and are within the scope of the Committee's responsibilities. Therefore the Committee has set aside a period of time at each School Committee meeting to hear from the public. In addition, if the Committee believes that an issue requires a dialogue with the school district community, the Committee may schedule a separate public hearing on that issue.

Any citizen who wishes to make a presentation to the School Committee on an item which is of interest to him/her and within the scope of the Committee's responsibilities may request to be placed on the agenda for a particular meeting. Such request should be in writing and should be received by the Superintendent of Schools at least one week prior to the date of the meeting. Such request should contain background statements which would explain the scope and intent of the agenda item. The Chair of the Committee works with the Superintendent to formulate the meeting agendas. Together they will determine whether or not to place an item on the agenda and if the item is to be taken up they will also determine when to place an item on the agenda and all parameters to be required of the presenter.

Here are the general rules for the Committee's public comment period:

1. Public Comment shall be for a period of 20 minutes and shall generally follow the opening of the meeting. The Committee reserves the right to rearrange its agenda to accommodate scheduled presenters.
2. Any citizen wishing to speak before the Committee shall identify themselves by name and address and shall speak for no longer than 3 minutes. No citizen may speak more than once without permission of the Chair. All citizens shall speak to the full Committee through the Chair and shall not address individual members or administrators.
3. Individuals may address topics on the agenda, items specified for public comment, or items within the scope of responsibility of the School Committee. The Chair shall rule out of order any individual who fails to honor the guidelines or who addresses a matter inappropriate for public comment.

4. Any Committee member may direct questions to the speaker through the Chair in order to clarify comments of the speaker.

SOURCE: MASC

## **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 Chair 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.

SOURCE: MASC

## **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.

SOURCE: MASC

**NOTE: One of the first policy needs of a School Committee is a policy, or set of policies, on policy development. The policy above is one of a set of policies adopted by a Massachusetts School Committee.**

## **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 - reading of the 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, unless the Committee so directs.

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.

SOURCE: MASC

**NOTE: Except in an emergency situation, policies should not be adopted at the meeting at which they are initially introduced.**

## **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.

SOURCE: MASC



## **SCHOOL COMMITTEE REVIEW OF PROCEDURES**

It is expected that the Superintendent and administrative staff will need to issue procedures 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 procedures 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 procedures only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve procedures 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 Dept. of Elementary and Secondary 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.

SOURCE: MASC

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

**NOTE: It is important to point out that a School Committee is required to approve many regulations -- either by law (one example is cited above) or the dictates of good judgment.**

## **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 official policy manual will be considered a public record and will be available for inspection at the Superintendent's office.

SOURCE: MASC

## **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.

SOURCE: MASC

## **SCHOOL COMMITTEE COMMUNICATIONS WITH STAFF**

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 Communication 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 matters, provided that 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.

### **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.

### **Visits to School:**

Individual School Committee members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the principals of the various schools. 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.

SOURCE: Haverhill

## **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), text messages, social media postings, 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 Chair, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic mail correspondence between and among members of the School Committee, or the district shall provide district e-mail addresses, which are archived. 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.

SOURCE: MASC July 2016

LEGAL REF.: M.G.L.[4:7](#); [30A:18-25](#), [23B](#); [66:10](#)

## NEW SCHOOL COMMITTEE MEMBER ORIENTATION

In accordance with the requirements of law, 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 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.

The Chair and/or Superintendent shall also clarify policy:

- A. arranging visits to schools or administrative offices
- B. requesting information regarding school district operations
- C. responding to community requests/complaints concerning staff or programs
- D. handling confidential information

Whether appointed or elected, new members should be advised that they are also members of the Massachusetts Association of School Committees, Inc. and should be encouraged to utilize the services and resources MASC provides by attending meetings or workshops specifically designed for new Committee members. Their expenses at these meetings or workshops will be reimbursed in accordance with established School Committee policy.

SOURCE: MASC

LEGAL REF.: M.G.L. 71:36A

## **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. The clerk will maintain a calendar of School Committee conferences, conventions and workshops. The Committee will periodically decide which meetings appear to be 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 on an annual basis. When funds are limited, the Committee will designate which of its members would be the most appropriate to participate at a given meeting.
3. Reimbursement to Committee members for their travel expenses will be in accordance with the travel reimbursement policy.
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.

SOURCE: MASC

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

CROSS REFS.: BID, School Committee Member Compensation and Expenses  
DKC, Expense Reimbursements

## **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.

SOURCE: MASC

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

CROSS REF.: BIBA, School Committee Conferences, Conventions, and Workshops



## **SCHOOL COMMITTEE MEMBERSHIPS**

The Committee may 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 the staff.

SOURCE: MASC