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**File: GA - PERSONNEL POLICIES - GOALS**

The Walpole School Committee realizes that even though it is no longer involved in the process of hiring school district employees other than the Superintendent and Assistant Superintendent, the Committee is responsible to the students and residents of the school district to insure that the highest quality individuals available are hired to meet the needs of the district. The School Committee has the additional responsibility to articulate the expectations of the district relative to personnel. This must be done in the form of policy.

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

The District's specific personnel goals are:

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

**File: GBA - EQUAL EMPLOYMENT OPPORTUNITY**

The school committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the district who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race, creed, color, age, sex, gender identity, national origin, ancestry, disability, pregnancy or pregnancy related conditions, genetic information, veteran status or sexual orientation. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

SOURCE: MASC

LEGAL REF.: BESE Regulations 603 CMR 26:00; 804 CMR 3:00

CROSS REF.: AC Nondiscrimination

**File: GBAC - CRIMINAL RECORD INFORMATION POLICY**

It shall be the policy of the Walpole Public Schools to obtain all available criminal offender record information (CORI) from the criminal history systems board (CHSB) of prospective employee(s) or volunteer(s) of the school department, including any individual who regularly provides school related transportation to students, who may have direct and unmonitored contact with children. Such information shall be obtained and reviewed prior to hiring or accepting any person as an employee or volunteer. Additionally, state law requires that school districts obtain CORI for employees of taxicab companies that have contracted with the schools to provide transportation to pupils.

The superintendent, principal, or their certified designee(s) shall periodically, but not less than every three years, conduct criminal background checks through the CHSB on all employees, individuals who regularly provide school related transportation to children (including taxicab company employees), and volunteers who may have direct and unmonitored contact with children during their term of employment or volunteer service.

The superintendent, principal or their certified designee(s) may also have access to CORI for any subcontractor or laborer who performs work on school grounds, and who may have direct and unmonitored contact with children, and shall notify them of this requirement and comply with the appropriate provisions of this policy.

While there is no case law defining “direct and unmonitored contact,” a Department of Elementary and Secondary Education Advisory on CORI Law dated May 7, 2007 suggests the following definition:

“direct and unmonitored contact with children” means contact with a child when no other CORI cleared employee of the school or district is present. A person having only the potential for incidental unsupervised contact with children in commonly used areas of the school grounds, such as hallways, shall not be considered to have the potential for direct and unmonitored contact with children. These excluded areas do not include bathrooms and other isolated areas (not commonly utilized and separated by sight or sound from other staff) that are accessible to students.

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to children of the school district shall sign a request form authorizing receipt by the district of all available CORI data from the CHSB. In the event that a current employee has questions concerning the signing of the request form, he/she may meet with the principal or superintendent; however, failure to sign the CORI request form may result in a referral to local counsel for appropriate action. Completed request forms must be kept in secure files. The School Committee, superintendent, principal or their designee(s) certified to obtain information under this policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school children.

CORI is not subject to the public records law and must be kept in a secure location, separate from personnel files and may be retained for not more than three years. CORI may be shared with the individual to whom it pertains, upon his or her request, and in the event of an inaccurate report the individual should contact the criminal history systems board.

Access to CORI material must be restricted to those individuals certified to receive such information. In the case of prospective employees or volunteers, CORI material should be obtained only where the Superintendent has determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

The hiring authority, subject to applicable law, reserves the exclusive right concerning any employment decision made pursuant to Chapter 385 of the Acts of 2002. The employer may consider the following factors when reviewing CORI:

- the type and nature of the offense;
- the date of the offense;
- whether the charge resulted in a conviction;
- the type of sentence;
- whether the individual successfully completed probation; and
- whether the individual has been subsequently arrested.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.

When a criminal record is received from the CHSB, the superintendent will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant to ensure the record relates to the applicant. If the district is inclined to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the district's CORI policy, advised of the parts of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the CORI record.

The superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any employee, individual who regularly provides school related transportation, or volunteer who may have direct and unmonitored contact with children. Current employees, persons regularly providing school related transportation, and volunteers shall also be informed in writing by the superintendent prior to the periodic obtaining of their CORI.

The superintendent shall amend employment applications to include questions concerning criminal records which the Massachusetts Commission against Discrimination has determined may be legally asked of prospective employees. Any employment application which seeks information concerning prior arrests or convictions of the applicant shall include the following statement:

An applicant for employment with a sealed record on file with the commissioner of probation may answer 'no record' with respect to an inquiry herein relative to prior arrests, criminal court appearances or convictions. An applicant for employment with a sealed record on file with the commissioner of probation may answer 'no record' to an inquiry herein relative to prior arrests or criminal court appearances. In addition, any applicant for employment may answer 'no record' with respect to any inquiry relative to prior arrests, court appearances and adjudications in all cases of delinquency or as a child in need of service which did not result in a complaint transferred to the superior court for criminal prosecution.

Records sealed pursuant to law shall not operate to disqualify a person in any examination, appointment or application for public service on behalf of the Commonwealth or any political subdivision thereof.

The superintendent shall revise contracts with special education schools and other providers to require a signed statement that the provider has met all the legal requirements of the state where it is located relative to criminal background checks for employees and others having direct and unmonitored contact with children.

As soon as possible after the district obtains the certification from the CHSB to receive CORI data, the superintendent shall obtain such data for any person then providing volunteer service, as a condition of continued service.

LEGAL REF: M.G.L. 71:38R, 151B, 276, § 100A, St.2002, c.385  
MCAD Regulations  
D.O.E. Advisory on CORI Law (Feb 17, 2003)  
BESE Advisory on CORI Law (May 7, 2007)  
803 CMR 3.05 (Chapter 149 of the Acts of 2004)

CROSS REF: ADDA CORI Requirements  
ADDA-R CORI Requirements  
ADDA-E CORI Requirements

**File: GBD - SCHOOL COMMITTEE-STAFF COMMUNICATIONS**

The school committee wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the superintendent.

“The Education Reform Act of 1993 dictates that not all issues can be brought before the school committee. In some instance, the authority rests with the superintendent, while in others, the school committee is the final arbitrator. Please consult with Central Office to determine the appropriate approach. In general, while matters of discipline and instruction are the purview of the superintendent, matters of policy and philosophy are the purview of the school committee.”

Staff Communications to the School Committee

All communications or reports to the committee or any of its subcommittees from principals, supervisors, teachers, or other staff members will be submitted through the superintendent.

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 Schools

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.



**File: GBEA - STAFF ETHICS / CONFLICT OF INTEREST**

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

No employee of the committee will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system. Nor will any staff member engage in any type of private business during school time or on school property.

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

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

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

**File: GBEB - STAFF CONDUCT**

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

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

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

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

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

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

**File: GBEBC - GIFTS TO AND SOLICITATIONS BY STAFF**

**A. Gifts**

The acceptance of personal gifts by school personnel from school suppliers, from parents and/or students can be subject to misinterpretation and a source of embarrassment to the school system and all persons involved. When families, students, or others wish to express personal appreciation to a teacher or other staff member, the school committee urges them to find modes of expression that do not involve personal gifts. Under the Massachusetts conflict of interest law (M.G.L. c. 268A), municipal employees may not accept gifts or gratuities valued at or above \$50.

In keeping with this policy, no employee of the school committee will accept a personal gift from a business concern supplying, or with an interest in supplying, goods, materials, equipment, or services to the school system. This restriction does not relate to the acceptance of gifts for the school system, nor to the acceptance of small and clearly identifiable advertising and promotional materials.

**B. 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 must be held at a minimum. Therefore, no solicitations of funds for charitable purposes will be made among staff members except with specific superintendent approval. Whenever such solicitations are made, no pressure will be exerted to obtain contributions even though the drive is one that the superintendent has specifically approved.

All solicitations proposed by employees to the general public must be submitted to the School Committee for consideration.

LEGAL REFS.: M.G.L. c. 268A

CROSS REFS.: KHA Public Solicitations in the Schools  
JP Student Donations and Gifts

**File: GBEC - DRUG-FREE WORKPLACE POLICY**

The school district will provide a drug-free workplace and certifies that it will:

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the district's workplace and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the district's policy of maintaining a drug-free workplace; available drug counseling, rehabilitation, and employee assistance programs; and the penalty that may be imposed on employees for drug abuse violations occurring in the workplace.
3. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.
4. Notify the employee in the required statement that as a condition of employment under the grant, the employee will abide by the terms of the statement, and will notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
5. Notify the federal agency within ten days after receiving notice from an employee or otherwise receiving notice of such conviction.
6. Take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted:
  - take appropriate personnel action against such an employee, up to and including termination; or
  - require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health law enforcement, or other appropriate agency.
7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

LEGAL REFS.:       The Drug-Free Workplace Act of 1988  
                          M.G.L. 71:96

CROSS REFS.:       IHAMB, Teaching About Alcohol, Tobacco and Drugs  
                          JICH Drug and Alcohol Use by Students

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

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

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

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

CROSS REFS.: ADC Smoking on School Premises

**File: GBGB - STAFF PERSONAL SECURITY AND SAFETY**

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

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

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

CROSS REFS.: EB Safety Program

**File: GBI - STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

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

In connection with campaigning, an employee will not:

- use school system facilities, equipment or supplies;
- discuss his/her campaign with school personnel or students during the working day;
- use any time during the working day for campaigning purposes.

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

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

**File: GBJ - PERSONNEL RECORDS**

Information about staff members is required for the daily administration of the school system, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the school committee's education reporting requirements. To meet these needs, the superintendent will implement a comprehensive and efficient system of personnel records maintenance and control under the following guidelines:

1. A personnel folder for each present and former employee will be accurately maintained in the central administrative office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, pay-roll deductions, evaluations, and any other pertinent information.
2. The superintendent will be the official custodian for personnel files and will have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law.
3. Personnel records are considered confidential under the law and will not be open to public inspection. Access to personnel files will be limited to persons authorized by the superintendent to use the files for the reasons cited above.
4. Each employee will have the right, upon written request, to review the contents of his/her own personnel file.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include his/her written response in the file.
6. Lists of school system employees' names and home addresses will be released only to governmental agencies as required for official reports or by the laws.

LEGAL REFS.: Family Educational Rights and Privacy Act, Sec. 438  
P.L. 90-247, Title IV, as amended  
88 Stat. 571-574 (20 U.S.C. 1232g) and regulations  
M.G.L. 4:7; 71:42C

CONTRACT REF.: All Agreements



**File: GBK - STAFF COMPLAINTS AND GRIEVANCES**

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

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

Channels established will provide for the following:

1. That teachers and other school employees may appeal a ruling of a principal or other administrator to the superintendent.
2. That all school employees may appeal a ruling of the superintendent to the committee, **except in those areas where the law has specifically assigned authority to the principal and/or the superintendent** and committee action would be in conflict with that law.

“The Education Reform Act of 1993 dictates that not all issues can be brought before the school committee. In some instances, the authority rests with the superintendent, while in others, the school committee is the final arbiter. Please consult with Central Office to determine the appropriate approach. In general, while matters of discipline and instruction are the purview of the superintendent, matters of policy and philosophy are the purview of the school committee.”

3. That all hearings of complaints before the superintendent or committee be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

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

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

CONTRACT REF.: All Contract Agreements

**File: GCA - PROFESSIONAL STAFF POSITIONS**

All professional staff positions in the school system will be created initially by the school committee. It is the committee's intent to activate a sufficient number of positions to accomplish the school system's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the committee may abolish a position it has created.

Each time a new position is established by the committee, the superintendent will present for the committee's approval a job description for the position, which specifies the job holder's qualifications and the job's performance responsibilities. The superintendent will maintain a comprehensive set of job descriptions for all positions.

**File: GCBA - PROFESSIONAL STAFF SALARY SCHEDULES**

Teachers

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

Principals

Salaries will be reviewed annually prior to July 1. The school committee, with the advice of the superintendent, will establish levels of compensation for each position based on the circumstances, dynamics, and requirements of each position. Consideration may be given to individuals for exceptional performance as a basis for establishing merit increases for principals. It is the responsibility of the superintendent to present evidence to the school committee to support recommendations for merit increases.

Administrators

Salaries will be reviewed annually prior to July 1. The superintendent may, upon the request of the committee, survey other school systems to determine salaries being paid for comparable positions in each system. The survey will include the effective date of the specified salary.

**File: GCBB - EMPLOYMENT OF PRINCIPALS**

Principals shall be employed by the Walpole Public Schools under individual contracts of employment. Said contracts shall be submitted to the school committee for their approval of all terms concerning compensation/benefits, prior to the presentation of a contract of employment to the principal. The compensation/benefit levels, above referenced, may be exceeded only with the approval of the school committee.

Contracts issued to principals will be up to three years in length, and may be reissued by the superintendent at levels of compensation/benefits, determined by the school committee, provided that the superintendent may employ a principal under the terms and conditions of the previous contract of employment.

As a condition of employment, each principal must maintain current certification, adhere to the policies and goals of the school committee and the directives of the superintendent, and annually before June 30th must submit, with the school council, the educational goals and school improvement plan for the school building(s) under his/her direction.

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

**File: GCCC - FAMILY LEAVE POLICY**

**Family, Medical, and Small Necessities Leaves of Absence**

**A. Purpose.** The Family and Medical Leave Act (“FMLA”) of 1993 allows eligible employees twelve (12) weeks of unpaid leave (26 weeks for military caregiver leave) per year under the circumstances outlined below. Employees may take leave for the following reasons:

1. to care for the employee’s child after birth, or placement of a child with the employee through adoption or foster care;
2. incapacity due to pregnancy, prenatal medical care or childbirth;
3. the employee is needed to care for his/her child, spouse, or parent who has a serious health condition;
4. the employee is unable to perform the functions of his/her position because of a serious health condition;
5. the employee is next of kin to, and needed to care for, a covered service-member who incurred a serious injury or illness in the line of duty (up to 26 weeks of leave – this is an exception to the 12-week maximum referenced throughout this Policy).
6. the employee needs leave due to a qualifying exigency arising out of his/her child, spouse, or parent, who is also a military member, being called to, or serving on, covered active duty.

**B. Use Paid Leave First.** Employees are required to use certain types of accrued or available paid leave first, as part of the FMLA leave, before commencing the unpaid portion of the leave. Employees who take leave because of the birth, or placement of a child or to care for an ill spouse, parent or child must first use all accrued vacation , personal time, and sick time/family illness, in that order. Employees who take leave because of their own serious illness must use all accrued sick, personal and vacation time, in that order.

**C. Eligibility.**

1. **1250 hours in previous 12 months.** To be eligible for leave under this policy an employee must have been employed by the Employer for a total of at least 12 months, and must have worked at least 1250 hours during the 12-month period preceding the commencement of the leave. Certain exceptions may apply if an employee has had a break in service with the Employer totaling 7 or more years, unless the break was due to certain types of military leave.

**D. Conditions.**

1. Twelve Weeks. Employees may take no more than twelve weeks of leave in a twelve month period. The twelve month period is a rolling twelve months beginning twelve months prior to the proposed commencement of requested leave. If both spouses are employed by the Employer, they are together entitled to a total of twelve weeks of leave for the birth or placement of a child or care of a sick parent.
2. Notice. Employees wishing to take FMLA leave must give 30 days' notice for leave involving foreseeable events. If the event giving rise to the need for leave is not foreseeable, then the employee must give such notice as is practicable under the circumstances. Employees must schedule planned medical treatments with due regard for the Employer's operational needs.

**E. Definitions.**

Health Care Provider: A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or any other person determined by the Secretary to be capable of providing health care services.

Parent: The biological parent of an employee or an individual who stood in loco parentis to an employee when the employee was a son or daughter.

Reduced Leave Schedule: A leave schedule that reduces the usual number of hours per workweek, or hours per workday, of an employee.

Secretary: The Secretary of Labor.

Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves: inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

Child: A biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is: under 18 years of age; or 18 years of age or older and incapable of self-care because of a mental or physical disability.

Spouse: An individual's legal husband or wife.

Covered Active Duty: In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and in the case of a member of the reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code.

Covered Service Member: A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is otherwise

in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

**Next of Kin:** With respect to an individual, next of kin is the nearest blood relative of that individual.

**Qualifying Exigency:** May include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

**Serious Injury or Illness:** In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during such a period, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

**F. Certification.** Employees must provide sufficient information for the Employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Employees requesting FMLA Leave must provide medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse, or parent. The medical certification must set forth: the date on which the serious health condition commenced; the probable duration of the condition; and, the appropriate medical facts within the knowledge of the health care provider regarding the condition. In its discretion, the Employer may require a second medical opinion and periodic re-certification at its own expense.

**G. Employer Responsibilities.** The Employer will inform employees requesting leave whether they are eligible under the FMLA. The Employer will also inform employees what, if any, additional information is needed to process their request. Employees will be notified of the approval or denial of the leave and the reason(s) therefore.

The Employer shall not interfere with, restrain, or deny the exercise of any right provided under the FMLA; and shall not take any adverse employment action against an employee for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under, or relating to, the FMLA.

**H. Intermittent or Reduced Schedule Leave.** If medically necessary for a serious health condition or qualifying exigency of the employee or his or her spouse, child or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on this basis, the

Employer may require the employee to transfer temporarily to a position, with equivalent compensation, which better accommodates recurring periods of absence or a part-time schedule.

**I. Benefits.**

1. **Health Coverage.** Employees on leave are entitled to the continuance of group health coverage under the same conditions they received coverage prior to the leave. Employees who contribute to their health insurance premiums via payroll deduction must arrange to pay the premium contributions during the period of unpaid absence, if they wish to retain coverage. In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, the Employer may recover from the employee the cost of any payments made to maintain the employee's coverage, unless the failure to return to work was for reasons beyond the employee's control.
2. **Other Benefits.** Benefits based upon length of service will be calculated as of the last paid work day prior to the start of the FMLA leave of absence. Employees do not accrue sick, vacation or personal time while on leave in excess of 30 days. Employees will not forfeit any employment benefits that accrued prior to the start of the FMLA leave of absence.

**J. Sick Leave, Workers Compensation Leave, or Other Absences.** Employees who are out of work for reasons that would qualify for leave under this policy, irrespective of whether leave has been requested under this policy, are required, upon request, to provide to the Employer the information and certifications required by this policy. The Employer shall designate all such qualifying leave as Family and Medical Leave, which shall run against the twelve weeks allowed under this policy.

**K. Return to Work.** Employees returning from FMLA Leave in accordance with this policy will be restored to their original positions, or to equivalent positions with equivalent pay and benefits. Employees should contact the personnel department and their supervisors at least two weeks before their return date to make arrangements. Employees may be required to provide a medical opinion from a physician certifying their fitness for duty. The Employer reserves the right to send an employee to the Employer's physician for a second opinion regarding the employee's fitness to return to work.

**L. Procedural Requirements.** Employees requesting an FMLA leave must submit the request in writing to their supervisor and the Superintendent's Office. Requests should be made 30 days in advance of the commencement of the leave, but in any event, as soon as practicable. The Employer will provide an employee with a Certification of Health Care Provider form. The Employee must return the completed form to the Employer within 15 days from receipt.

**M. Rules specific to teachers.** Leave taken near the end of an academic term. The following rules shall apply with respect to periods of leave near the conclusion of an academic term in the case of any eligible employee employed principally in an instructional capacity.



Leave more than 5 weeks prior to end of term. If the employee begins leave more than 5 weeks prior to the end of the academic term, the Employer may require the employee to continue taking leave until the end of such term, if the leave is of at least 3 weeks' duration and the return to employment would occur during the 3-week period before the end of such term.

Leave less than 5 weeks prior to end of term. If the employee begins leave with less than 5 weeks remaining in the academic term, the Employer may require the employee to continue taking leave until the end of such term, if the leave is of greater than 2 weeks' duration and the return to employment would occur during the 2-week period before the end of such term.

Leave less than 3 weeks prior to end of term. If the employee begins leave with less than 3 weeks remaining in the academic term, the Employer may require the employee to continue to take leave until the end of such term.

Intermittent or Reduced Schedule Leave. In any case in which an eligible employee employed principally in an instructional capacity requests intermittent or reduced schedule leave that is foreseeable based on planned medical treatment and the employee would be on leave for greater than 20 percent of the total number of working days in the period during which the leave would extend, the agency or school may require that such employee elect either: to take leave for periods of a particular duration, not to exceed the duration of the planned medical treatment; or to transfer temporarily to an available alternative position offered by the employer for which the employee is qualified, and that has equivalent pay and benefits; and better accommodates recurring periods of leave than the regular employment position of the employee.

#### **N. Small Necessities Leave**

1. The Small Necessities Act, Massachusetts General Law Chapter 149, Section 52D, became effective on August 4, 1998.
2. An employee shall be entitled to a total of 24 hours of unpaid leave during a 12 month period (the twelve month period is a rolling twelve months beginning twelve months prior to the proposed commencement of requested leave), in addition to leave available under the Family and Medical Leave Act of 1993, for the following purposes:
  - (a) to participate in school activities directly related to the educational advancement of a son or daughter;
  - (b) To accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and
  - (c) To accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care.
3. Employees who have accumulated sick, personal, or vacation time must use such time as part of the 24 hours before becoming eligible for unpaid time. The

Employer will not provide paid leave in any situation where it would not normally provide such paid leave.

4. At least 7 days in advance, the employee shall submit to the Employer a written notice of his/her intent to take small necessities leave and the date and expected duration of the leave. If 7 days notice is not possible, the employee shall give notice as soon as practicable.

REF: 29 U.S.C. Section 2601 et seq.; 29 C.F.R. Part 825 et seq.; Massachusetts General Law Chapter 149, Section 52D.

**File GCCD - DOMESTIC VIOLENCE LEAVE POLICY**

It shall be the policy of the school district to permit an employee to take up to 15 days of domestic violence leave from work in any 12 month period. In order to be eligible for said leave:

- (i) the employee, or a family member of the employee must be a victim of abusive behavior;
- (ii) the employee must be using the leave from work to seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
- (iii) the employee must not be the perpetrator of the abusive behavior against such employee's family member.

The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement.

Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required. If such imminent danger exists the employee shall notify the employer within 3 workdays that the leave was taken. The notification may be communicated to the employer by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior. If an unscheduled absence occurs, an employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) below. An employer may require documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave is consistent with clauses (i) to (iii) as above referenced; provided, however, that an employer shall not require an employee to show evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. The documentation shall be provided to the employer within a reasonable period after the employer requests it.

An employee shall satisfy this documentation requirement by providing anyone of the following documents to the employer:

- (1) a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;

- (2) a document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;
- (3) A police report or statement of a victim or witness provided to police documenting the abusive behavior;
- (4) documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt ; or has been convicted of , or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;
- (5) medical documentation of treatment as a result of the abusive behavior;
- (6) a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior;
- (7) a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

- (i) requested or consented to, in writing, by the employee;
- (ii) ordered to be released by a court of competent jurisdiction;
- (iii) otherwise required by applicable federal or state law;
- (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
- (v) necessary to protect the safety of the employee or others employed at the workplace.

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the district's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employees signature acknowledging receipt of the handbook/notice. The Superintendent shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that he/she deems appropriate.

No employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, he/she shall be entitled to restoration to the employee's original job or to an equivalent position. Definitions of "abuse", "abusive behavior", "domestic violence", "employees" and "family members" may be found in the laws referenced below.

Legal Reference: M.G.L. 149:52E; Section 10 Chapter 260 of the Acts of 2014

**File: GCCE – HEALTH INSURANCE UNDER THE AFFORDABLE CARE ACT**

The Town of Walpole and the Walpole School Committee (Walpole) are implementing this Policy and the following procedures in order to meet their obligations under the Patient Protection and Affordable Care Act (ACA). Walpole is committed to being in full compliance with the ACA. Walpole is categorized as a large employer under the ACA and may be subject to an Employer Shared Responsibility Payment (ESRP) if one of its full-time employees purchases health insurance through Massachusetts Health Connector and receives a tax credit for that purchase. The following procedures are designed to ensure that the Town will avoid, or at least minimize, any liability for ESRPs.

**Look-Back Measurement Method: Measurement, Administrative, and Stability Periods.**

Pursuant to the ACA, ongoing (current) Walpole employees who are employed for at least 130 hours of service per month must be offered Town-sponsored health insurance for themselves, their spouses, and dependents up to age 26. Walpole shall employ a 12-month look-back measurement method to determine eligibility for all employees. This standard measurement period shall begin on January 1, 2015. After twelve months, Walpole shall have up to 3 months (the administrative period) to determine if any full-time employees (total hours divided by 12 must equal at least 130 hours) have not been offered Town-sponsored health insurance and to enroll (or disenroll) them if necessary. If there are any such employees, Walpole shall offer them Town-sponsored health insurance for the 12 months following the measurement period. This 12-month coverage is called the stability period. How many hours an employee works during the stability period is relevant only in determining whether he/she will be eligible for Town-sponsored health insurance coverage in the next stability period. The measurement, administrative, and stability periods shall then repeat themselves on an ongoing basis.

The administrative period will be the same length for all employees and it will not serve to reduce or lengthen either the measurement or stability periods. To prevent gaps in health insurance coverage, the administrative period will overlap with the prior stability period during which time an employee's classification (full-time or part-time) will remain unchanged.

When Walpole hires a new employee who is expected to work on a full-time basis, Walpole shall offer Town-sponsored health insurance upon initial employment. Once the employee has been employed by Walpole for a full standard measurement period (the same period that applies to ongoing employees), he/she shall become an ongoing employee and be included in the normal look-back measurement cycle for determining eligibility.

For new employees expected to be variable hour, seasonal, and part-time employees, Walpole shall track their hours of service using an initial measurement period of 12 months. The initial measurement period shall begin on the first day of the first calendar month following the employee's start date (or on the first day of the first payroll period starting on or after the employee's start date, if later). As with ongoing employees, an administrative period of up to 3 months shall be employed, along with a 12-month stability period. Once a new variable hour, seasonal, or part-time employee has been employed by Walpole for a full standard measurement

period (the same period that applies to ongoing employees), he/she shall become an ongoing employee and be included in the normal look-back measurement cycle for determining eligibility.

#### Hours of Service and Periods of Time Not Included in 12-Month Calculation.

As mentioned previously, a Walpole employee must average at least 130 hours a month of service over a 12-month period to be entitled to Town-sponsored health insurance. The following categories of service count toward the 130 hour average: each hour worked for which an employee is paid; unpaid short scheduled breaks (not including unpaid lunch breaks of at least 30 minutes), paid time off due to vacation, holiday, illness, incapacity (including disability), layoff, jury duty, military duty or leave of absence. Generally, unpaid time off will not count toward the 130 hours of service.

Certain periods of unpaid time off will not be included when calculating the 12-month standard measurement period. These include: summer months for teachers and other school employees, FMLA leave, military leave, jury duty. For these special periods of unpaid time off, Walpole will determine the average hours during the measurement period, excluding the special unpaid leave period, and will use that average as the average for the entire measurement period.

#### Guidance.

Should Walpole employees have any questions regarding this policy, please contact Jody Delpha in the Human Resources Office. Her telephone number is 508-660-7000 ext. 233 and her email address is [jdelpha@walpole.k12.ma.us](mailto:jdelpha@walpole.k12.ma.us).

**File: GCE - PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES**

It is the responsibility of the superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school system and it is the responsibility of the principal, in consultation with the superintendent to determine the personnel needs of the individual schools. In addition, school councils (site-based management teams) may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the school committee.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the characteristics of the town and the need for a heterogeneous staff from various cultural backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school system. Any current employee may apply for any position for which he or she has certification and meets other stated requirements.

Openings in the schools will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

REFS.:           Collective Bargaining Agreements

**File: GCF - PROFESSIONAL STAFF HIRING**

Through its employment policies, the district will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will seek candidates devoted to the education and welfare of children.

It is the responsibility of the superintendent, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the school system and to locate suitable candidates. No position may be created without the approval of the school committee. The district's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children

It will be the duty of the superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the committee for the type of position for which the nomination is made.

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

1. There will be no discrimination in the hiring process due to age, sex, gender identity, creed, race, color, national origin, disability, pregnancy or pregnancy related conditions, religion, genetic information, ancestry, military status, sexual orientation or place of residence.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions and for the position of Principal, it is the Superintendent; for building-based personnel, it is the Principal) may establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that a screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee a representative screening committee may be established by the School Committee or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making his recommendation to the School Committee.

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45; 71:59B

CROSS REFS.: Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994  
BESE Regulations 603 CMR 7:00, 26:00, and 44:00



**File: GCG - SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT**

Substitute Teachers

Each building principal will have the authority to employ as many substitute teachers as may be necessary to take the place of teachers who are temporarily absent. Periodically he/she will submit to the Superintendent or designee a list of qualified substitutes for approval.

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.

SOURCE: MASC

**File: GCIA - PHILOSOPHY OF STAFF DEVELOPMENT**

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

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

1. Planned in-service programs and workshops offered within the school system from time to time; these may include participation by outside consultants.
2. Membership on curriculum development committees drawing personnel from within and without the school system.
3. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings.
4. Leaves of absence for graduate study, research, and travel.

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.

**File: GCJ - PROFESSIONAL TEACHER STATUS**

**Teachers and certain other professional employees who have served in the school district for three consecutive years shall be entitled to professional teacher status.** The superintendent, upon recommendation of the principal, may award such status to a teacher who has served in the principal's school for not less than one year or a teacher who has obtained such status in any other public school district in the Commonwealth. The superintendent will base his/her decisions on the results of evaluation procedures conducted according to committee policy.

At the end of each of the first three years of a teacher's employment, it will be the responsibility of the superintendent to notify each employee promptly in writing of the decision on reappointment. Notification to a teacher not being reappointed must be made by **June 15** or at an earlier date if required by a collective bargaining agreement.

A teacher who attains professional teacher status will have continuous employment in the service of the school system. A teacher with professional teacher status whose position is abolished by the school committee may be continued in the employ of the school system in another position for which he or she is legally qualified.

Nothing in these provisions will be considered as restricting the superintendent from changing teaching assignments or altering or abolishing supervisory assignments except that, by law, no teacher may be assigned to a position for which he or she is not legally qualified.  
Established by law and Committee policy

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

**File: GCL - PROFESSIONAL STAFF TIME SCHEDULES**

Administrators

The nature of the duties and responsibilities of administrators and supervisors will require their hours of work to vary and extend as necessary to fulfill the requirements of their positions.

During the course of their contract year, all administrators will be expected to work during the hours and on the days that the superintendent's office is open unless special scheduling arrangements have been made with the superintendent. On days schools are closed because of bad weather or other emergencies, all staff members except those who work only on teacher work days are required to report to work as soon as they are able to do so.

The working year for administrators will be established individually through their contracts.

Teachers

Generally, the working day for teachers will be determined by the hours established for students. Every effort will be made by the administration to provide a uniform work day for teachers at the various levels.

The working year for teachers will be established in connection with the committee's adoption of the school calendar.

LEGAL REFS.: M.G.L. 71:80

CONTRACT REF.: Teachers' Contract

**File: GCO - EVALUATION OF PROFESSIONAL STAFF**

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

The evaluation process will include:

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

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

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

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

All evaluations shall be consistent with the requirements of M.G.L. c. 71, §38, as amended by §40 of the Education Reform Act of 1993. Evaluations shall be based on performance standards which shall be determined in a manner consistent with the procedures established in M.G.L. c. 71, §38, and shall advance the goals of encouraging innovation in teaching and holding teachers accountable for improving student performance. The requirements of M.G.L. c. 71, §38 shall be minimum requirements. Evaluation and observation of personnel shall be the responsibility of the administration and may be conducted by them at any time after teachers have been informed of the performance standards at the beginning of the school year.

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

CONTRACT REF: Teachers' Agreement

**File: GCQD - RESIGNATION OF PROFESSIONAL STAFF MEMBERS**

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

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

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

**File: GCQE - RETIREMENT OF PROFESSIONAL STAFF MEMBERS**

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

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

CONTRACT REF.: Teachers' Contract

**File: GCQF - SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF**  
**MEMBERS**

The superintendent will strive to assist personnel to perform their duties efficiently. However, the superintendent may dismiss any employee in accordance with state and federal law. When the superintendent or a principal determines that sufficient cause exists that a professional employee be suspended or dismissed from service in the school system, he or she will:

1. Be certain that each such case is supported by defensible records.
2. Determine if the individual is to be suspended immediately with the understanding that the suspension will be subject to restoration of salary and position if an appeal is decided in favor of the individual.
3. Follow the procedures for dismissal or suspension that are contained in applicable laws as well as those included in the current agreement with the teachers' bargaining unit.
4. Provide the individual involved with a written statement that will:
  - a. Indicate whether the action the superintendent is taking is dismissal or suspension.
  - b. State the reason for the suspension or dismissal.
  - c. Guarantee that all procedures will be in accord 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



**File: GCRD - TUTORING FOR PAY**

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

Tutoring is not to be recommended for a student unless the appropriate teacher of the student involved is consulted and agrees that it will be of real help. If tutoring seems advisable, the principal may give the parents a list of persons who are willing to tutor. This list may include teachers, but not the student's teacher of the subject in which he or she is to be tutored.

Tutoring for pay is not to be done in the school building, unless approved by the Superintendent.

**File: GDA - SUPPORT STAFF POSITIONS**

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

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

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

**File: GDB - SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS**

In establishing salaries and salary schedules for support staff personnel, the school committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school department.

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

The rates of pay for personnel not covered by collective bargaining agreements will be set by the school committee.

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

CONTRACT REF.: All Contracts

**File: GDBD - SUPPORT STAFF FRINGE BENEFITS**

Benefits in addition to basic salary are recognized by the school committee as an integral part of the total compensation plan for staff members. The benefits extended regular full-time support staff members will be designed to promote their economic security and will include a comprehensive health insurance program.

Certain fringe benefits are established through negotiations with employee bargaining units. Because the committee wishes to be fair with all its employees, benefits granted to employees who are not members of a bargaining unit will be generally equal to those granted employees in similar positions that are covered by a negotiated agreement.

LEGAL REFS.: M.G.L. 71:37B; 71:48B

CROSS REFS.: GBGB Staff Personal Security and Safety  
GDB Support Staff Contracts and Compensation Plans

**File: GDC - SUPPORT STAFF LEAVES AND ABSENCES**

Leaves and absences accorded to support staff will be for the purposes of helping them maintain their physical health, take care of family and other personal emergencies, and discharge important and necessary obligations.

All requests for long-term leaves of absence will be submitted by the superintendent, along with his/her recommendation, to the school committee for its action.

Support staff employees will be granted leaves in accordance with the terms of the agreements with recognized bargaining units.

Leave benefits granted to employees who are not members of a recognized bargaining unit will be comparable to those granted employees in similar positions that are covered by master agreements with employee organizations.

LEGAL REFS.: M.G.L. 149:105D; 71:41A

CONTRACT REF.: All Support Staff Contracts

**File: GDE - SUPPORT STAFF RECRUITING/POSTING OF VACANCIES**

The school committee will establish, and budget for, support staff positions in the school system on the basis of need.

The recruitment and selection of candidates for such positions will be the responsibility of the principal for building-based positions, and the superintendent for district-wide positions, who will confer with principals and other supervisory personnel, as appropriate, in making a selection.

**File: GDF - SUPPORT STAFF HIRING**

All candidates will be considered on the basis of their merits, qualifications, and the needs of the school system. In each instance, the superintendent and others playing a role in the selection process will seek to employ the best qualified person for the job.

Vacancies in positions will be filled by the superintendent and/or the principal in accordance with the law and with the applicable regulations.

LEGAL REFS.: M.G.L. 71:55B; 71:59B

**File: GDK - SUPPORT STAFF TIME SCHEDULES**

The work day and the work year for members of the support staff will be as set forth on the salary schedule.

Specific time schedules for support staff members will be set by the appropriate administrators in line with pertinent school opening and closing times, student schedules, and so on.

Administrators will inform the superintendent of the assigned schedules so that there may be continuity as needed throughout the school system.



**File: GDO - EVALUATION OF SUPPORT STAFF**

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable work loads, and establish wage and salary policies that encourage employees to put forth their best efforts. The evaluation of employee achievements and the provision of a good atmosphere in which to work are some of the major duties of the committee.

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

1. Specific work assignment
2. Attitude toward students
3. Attitude toward supervisors, teachers, and fellow employees
4. Work habits

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

**File: GDQC - RETIREMENT OF SUPPORT STAFF MEMBERS**

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

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

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

**File: GDQD - SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS**

Support staff employees employed by the school district may be terminated by the principal of the building in which they serve with the approval of the superintendent. However, employees may request the superintendent to review the circumstances of their termination.

The superintendent, or the principal, with the approval of the superintendent, may also suspend employees from their assignments.