

# Section A: Foundations & Basic Commitments

AA: School District Legal Status

AA-B: [DELETED -- REPLACED WITH AD]

AB: The People and Their School District

AC-A: [DELETED – REPLACED WITH AC]

AC: NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

AC-B: [DELETED – REPLACED WITH AC-R]

AC-C: [DELETED – REPLACED WITH ACE]

AC-R: NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

ACA: NONDISCRIMINATION ON THE BASIS OF SEX

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# SCHOOL DISTRICT LEGAL STATUS

Section A: Foundations and Basic Commitments	File: AA
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The legal basis for public education in the City of Newburyport, Massachusetts is vested in the will of the people as expressed in the Constitution of Massachusetts and state statutes pertaining to education and the City Charter articles pertaining to the School Committee.

Under the General Laws of Massachusetts,

"... Every town shall maintain... a sufficient number of schools for the instruction of all children who may legally attend a public school therein."

The public educational system of Newburyport structurally is a department of the City operated under laws pertaining to education and under regulations of the Massachusetts Board of Education. The area served by the Newburyport Public Schools is coterminous with the City of Newburyport.

## References:

Constitution of Massachusetts, [Part II, Chapter V, Section II](#)

M.G.L. [71:1](#)

File BB, School Committee Legal Status

## Version Control

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016

AA-B: [DELETED -- REPLACED WITH AD]

# THE PEOPLE AND THEIR SCHOOL DISTRICT

Section A: Foundations and Basic Commitments	File: AB
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The Newburyport School Committee has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' expectations for the education of the community's youth. It also has an obligation to determine and assess citizens' desires. When

citizens elect delegates to represent them in the conduct of public education, their representatives have the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility. The School Committee therefore affirms and declares its intent to:

1. Maintain two-way communication with citizens of the community.
2. Establish policies and make decisions on the basis of the optimal learning of the children enrolled in our schools.
3. Act as a truly representative body for members of the community in matters involving public education.

## References:

## Version Control

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016

AC-A: [DELETED – REPLACED WITH AC]

**NEW POLICY (Replace AC-A)**

**AC: NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND  
RETALIATION**

The Newburyport School Committee and Newburyport Public Schools are committed to maintaining an education and work environment for all school community members. that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Newburyport Public Schools.

Newburyport Public Schools does not exclude from participation, deny the benefits of NPS from or otherwise discriminate against, individuals on the basis of race\*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.
6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Newburyport Public Schools requires all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of

discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

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

LEGAL REFS: Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375  
Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972  
Rehabilitation Act of 1973  
Education for All Handicapped Children Act of 1975  
No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)  
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)  
Acts of 2022, Chapter 117 -  
<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

CROSS REF: ACE, Nondiscrimination on the Basis of Disability  
ACAB, Sexual Harassment  
GBA, Equal Employment Opportunity  
IJ, Instructional Materials  
JB, Equal Educational Opportunities

**Adopted: May 15, 2023**

AC-B: [DELETED – REPLACED WITH AC-R]



AC-C: [DELETED – REPLACED WITH ACE]

**NEW POLICY (Replace AC-B)**

**AC-R: NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND  
RETALIATION**

Newburyport Public Schools (NPS) will respond promptly to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, NPS will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action.

Any member of the school community who is found, after investigation, to have engaged in any form of discrimination, including harassment or retaliation, against another member of the school community, will be subject to consequences determined appropriate by the administration. Such consequences may include restorative measures and corrective action, and/or student discipline or staff disciplinary action, up to and including termination of employment.

Definitions

"Discrimination" and "Harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race\*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law, Discrimination and/or harassment includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of NPS; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment.

"Title IX Sexual Harassment" (effective August 14, 2020) means verbal, physical or other conduct that targets a person based on their sex, and that satisfies one or more of the following:

- A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity;
- Any instance of "sexual assault", "dating violence", "domestic violence", or "stalking", as those terms are defined by the Clery Act (20 U.S.C. 1092(f)(6)(A)(v)) and the Violence Against Women Act (34 U.S.C. 12291(a)(8), (10) & (30)).

Allegations of Title IX Sexual Harassment shall be reported and investigated pursuant to the Newburyport Public Schools Protocol for Investigating Sexual Harassment and Retaliation Pursuant to Title IX.

### Resources

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment Coordinator, and Grievance Officer for the School Committee, administration, faculty, staff, volunteers in the schools, and for parties who are contracted to perform work for the Newburyport Public Schools, and can be reached at:

Director of Human Resources  
70 Low Street  
978-465-4456

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students in the Newburyport Public Schools. In addition, the Director of Human Resources is the District 504 Coordinator, and can be reached at:

Director of Human Resources  
70 Low Street  
978-465-4456

Inquiries concerning the Newburyport Public Schools' policies and protocols, compliance with applicable laws, statutes, and regulations, and complaints may also be directed to the Director of Human Resources. Inquiries about laws, statutes, regulations and compliance may also be directed to the Massachusetts Department of Elementary and Secondary Education or the Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Suite 900, Boston, MA 02109; (617) 289-0111; Email: OCR.Boston@ed.gov; Website: [www.ed.gov/ocr](http://www.ed.gov/ocr)

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

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375  
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Acts of 2022, Chapter 117 -  
<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

CROSS REF: ACE, Nondiscrimination on the Basis of Disability  
ACAB, Sexual Harassment  
GBA, Equal Employment Opportunity  
IJ, Instructional Materials  
JB, Equal Educational Opportunities  
  
Title IX Sexual Harassment Grievance Procedure  
Civil Rights Grievance Procedure

**Adopted: May 15, 2023**

**NEW POLICY**

**ACA: NONDISCRIMINATION ON THE BASIS OF SEX**

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school district does not and will not discriminate on the basis of sex, sexual orientation or gender identity in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, sexual orientation or gender identity, to all of its students and employees.

The Committee will designate an individual to act as the school district's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

LEGAL REFS.: Title IX of the Education Amendments of 1972  
45 CFR, Part 86, (Federal Register, 6/4/75)  
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)  
BESE 603 CMR 26:00

REFERENCE: USDOE Notice of Interpretation - <https://www.ed.gov/news/press-releases/us-department-education-confirms-title-ix-protects-students-discrimination-based-sexual-orientation-and-gender-identity>

CROSS REF.: AC, Nondiscrimination Policy Including Harassment and Retaliation

**Adopted: May 15, 2023**

## UPDATED POLICY

### ACAB: SEXUAL HARASSMENT

The Newburyport School Committee and Newburyport Public Schools are committed to maintaining an education and work environment for all school community members. that is free from all forms of harassment, including sexual harassment. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Newburyport Public Schools.

**Sexual harassment** is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an

environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment including sexual harassment, and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

### **NOTICE OF SEXUAL HARASSMENT**

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

### **DUE PROCESS PROTECTIONS**

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) The clear and convincing evidence or preponderance of the evidence, subject to limitations;

- 4) The opportunity to test the credibility of parties and witnesses through cross examination, subject to “rape shield” protections;
- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other’s credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

### **RECORD KEEPING REQUIREMENTS**

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school’s response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Newburyport School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

List the name and phone number of the District’s Title IX Coordinator



List the appropriate party by name and phone number to receive a complaint in each District School  
Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601  
Boston, MA 02108.  
Phone: 617-994-6000.
- Office for Civil Rights (U.S. Department of Education)  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109.  
Phone: 617-289-0111.
- The United States Equal Employment Opportunity Commission,  
John F. Kennedy Bldg.  
475 Government Center  
Boston, MA 02203.

LEGAL REF.: M.G.L. 151B:3A  
Title IX of the Education Amendments of 1972  
BESE 603 CMR 26:00  
34 CFR 106.44 (a), (a)-(b)  
34 CFR 106.45 (a)-(b) (1)  
34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

**Adopted: June 20, 2016**

**Revised: May 15, 2023**

**UPDATED POLICY (Replace AC-C)**

**ACE: NONDISCRIMINATION ON THE BASIS OF DISABILITY**

Title II of the Americans with Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the district's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the district or be subject to discrimination. Nor shall the district exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

**Definition**

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the district.

**Reasonable Modification**

The district shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to practices, to avoid discrimination on the basis of disability, unless the district can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

**Communications**

The district shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the district shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability and equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the district. In determining what type of auxiliary aid service is necessary, the district shall give primary consideration to the requests of the individuals with disabilities.

**Auxiliary Aids and Services**

"Auxiliary Aids and Services" includes:

- (1.) Qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments.
- (2.) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments.
- (3.) Acquisition or modification of equipment or devices.
- (4.) Other similar services and actions.

## **Limits of Required Modification**

The district is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the district shall be made by the Superintendent after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

## **Notice**

The district shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the Americans With Disabilities Act (ADA) and its applicability to the services, programs, or activities of the district. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

## **Compliance Coordinator**

The district shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The district shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The Title IX coordinator will serve the function of Compliance Coordinator.

The School system receives Federal financial assistance and must comply with the above requirements. Additionally, it is generally viewed that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair.
2. To the extent possible, qualified disability persons should be in the mainstream of life in a school community. Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of the School System to ensure nondiscrimination on the basis of disability.

LEGAL REFS.:      Rehabilitation Act of 1973, Section 504  
                         Education For All Handicapped Children Act of 1975  
                         M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)  
                         Title II, Americans with Disabilities Act of 1992  
                         Board of Education Chapter 766 Regulations, adopted 10/74, as amended Through  
                         3/28/78  
                         McKinney-Vento Homeless Assistance Act 2001 (42 U.S.C. 11431 et seq.),  
                         Sec.721

CROSS REFS.:      IGB, Support Services Programs

**Adopted: May 15, 2023**

**UPDATED POLICY (Replace AA-B)**

**AD: SCHOOL DISTRICT MISSION STATEMENT, BELIEFS AND VALUES**

**Mission**

The mission of the Newburyport Public Schools, the port where tradition and innovation converge, is to ensure each student achieves intellectual and personal excellence and is equipped for life experiences through a system distinguished by students, staff, and community who: - practice kindness and perseverance - celebrate each unique individual - value creativity; experiential, rigorous educational opportunities; scholarly pursuits; and life-long learning - provide the nurturing environments for emotional, social, and physical growth - understand and embrace their role as global citizens.

**Beliefs**

We believe that

- Each person is worthy of respect
- A strong community celebrates individual uniqueness
- Each individual has inherent worth
- Opportunity stems from adversity; growth from mistakes
- Through reflection we gain understanding
- Compassion and empathy build community
- Everything can be done with kindness
- Individuals are responsible for their own actions
- Attitude has power
- We have an obligation to serve one another
- Trusting relationships require clear and open communication
- A community is responsible for its individuals
- Education is fundamental to an empowered, evolving society

**Clipper Values**

- Respect
- Kindness
- Innovation
- Perseverance
- Responsibility
- Reflection

**Adopted: May 15, 2023**

**NEW POLICY**

**ADC: TOBACCO PRODUCTS ON SCHOOL PREMISES PROHIBITED**

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.

LEGAL REF: M.G.L. [71:37H](#); [270:6](#)

CROSS REFS.: GBED, Tobacco use on School Property by Staff Members Prohibited  
JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

**Adopted: May 15, 2023**

## **UPDATED POLICY**

### **ADDA: BACKGROUND CHECKS**

It shall be the policy of the school district that, as required by law, a state and national fingerprint criminal background check will be conducted to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with children. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with children. The School Committee shall only obtain a fingerprint background check for current and prospective employees for whom the School Committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the School Committee shall review the results of the national criminal history check. The Superintendent shall also obtain a state and national fingerprint background check for any individual who regularly provides school related transportation to children. The School Committee, Superintendent or Principal, as appropriate, may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the School Committee, school or employed by the city or town to perform work on school grounds, who may have direct and unmonitored contact with children. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children must continue to submit state CORI checks.

The fee charged by the provider to the employee and educator for national fingerprint background checks will be \$55.00 for school employees subject to licensure by DESE and \$35.00 for other employees, which fee may from time to time be adjusted by the appropriate agency. The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available Criminal Offender Record Information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with children.

Direct and unmonitored contact with children is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication. This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

#### **Requesting CHRI (Criminal History Record Information) checks**

Fingerprint-based CHRI checks will only be conducted as authorized by state and federal law, in accordance with all applicable state and federal rules and regulations. If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, they shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

## **Access to CHRI**

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with any unauthorized entity for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Federal law and regulations provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

## **Storage of CHRI**

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CJIS Security Policy have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards. In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage, retention and destruction of CHRI.

## **Retention and Destruction of CHRI**

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes only:

- Historical reference and/or comparison with future CHRI requests,
- Dispute of the accuracy of the record
- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in a secure location in the office of the superintendent. When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of the district.

## **CHRI Training**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the district will review and become familiar with the educational and relevant training materials regarding SAFIS and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

## **Determining Suitability**

In determining an individual's suitability, the following factors will be considered: these factors may include, but not necessarily be limited to: the nature and gravity of the crime and the underlying conduct, the time that has passed since the offense, conviction and/or completion of the sentence, nature of the position held or sought, age of the individual at the time of the offense, number of offenses, any relevant evidence of rehabilitation or lack thereof and any other factors deemed relevant by the district.

A record of the suitability determination will be retained. The following information will be included in the determination:

- The name and date of birth of the employee or applicant;
- The date on which the school employer received the national criminal history check results; and,
- The suitability determination (either "suitable" or "unsuitable").

A copy of an individual's suitability determination documentation must be provided to another school employer, or to the individual, upon request of the individual for whom the school employer conducted a suitability determination.

### **Relying on Previous Suitability Determination.**

The school employer may obtain and may rely on a favorable suitability determination from a prior employer, if the following criteria are met:

- The suitability determination was made within the last seven years; and
- The individual has not resided outside of Massachusetts for any period longer than three years since the suitability determination was made; and either
- The individual has been employed continuously for one or more school employers or has gaps totaling no more than two years in his or her employment for school employers; or
- If the individual works as a substitute employee, the individual is still deemed suitable for employment by the school employer who made a favorable suitability determination.

Upon request of another school employer, the initial school employer shall provide documentation that the individual is still deemed suitable for employment by the initial school employer.

### **Adverse Decisions Based on CHRI**

If inclined to make an adverse decision based on an individual's CHRI, the district will take the following steps prior to making a final adverse determination:

- Provide the individual with a copy of their CHRI used in making the adverse decision;
- Provide the individual with a copy of this CHRI Policy;
- Provide the individual the opportunity to complete or challenge the accuracy of their CHRI; and
- Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time depending on the particular circumstances not to exceed thirty days to correct or complete the CHRI.

If a school employer receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, the school employer may request that an individual, after providing him a copy of said background check, provide additional information regarding the results of the criminal background checks to assist the school employer in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter 151B, S. 4,( 9,9 ½).

Furthermore, in exigent circumstances, a school employer may, pursuant to the terms of DESE regulations (see specific regulations in legal references), hire an employee on a conditional basis without first



receiving the results of a national criminal background check. After exhausting several preliminary steps as contained in the above referenced regulation the district may require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be asked to provide information about juvenile adjudications or sealed convictions. The superintendent is advised to confer with legal counsel whenever they solicit information from an individual concerning ~~his/her~~ **their** history of criminal convictions.

### **Secondary Dissemination of CHRI**

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI.

The following information will be recorded in the log:

- Subject Name;
- Subject Date of Birth;
- Date and Time of the dissemination;
- Name of the individual to whom the information was provided;
- Name of the agency for which the requestor works;
- Contact information for the requestor; and
- The specific reason for the request.

### **Reporting to Commissioner of Elementary and Secondary Education**

Pursuant to state law and regulation, if the district dismisses, declines to renew the employment of, obtains the resignation of, or declines to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a state or national criminal record check, the district shall report such decision or action to the Commissioner of Elementary and Secondary Education in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the Department and shall include the reason for the action or resignation as well as a copy of the criminal record checks results. The superintendent shall notify the employee or applicant that it has made a report pursuant to the regulations to the Commissioner. Pursuant to state law and regulation, if the district discovers information from a state or national criminal record check about a licensed educator or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to regulations, the Superintendent shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether the district retains or hires the educator as an employee. The report must include a copy of the criminal record check results. The school employer shall notify the employee or applicant that it has made a report pursuant to regulations to the Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

### **C.O.R.I. REQUIREMENTS**

It shall be the policy of the district to obtain all available Criminal Offender Record Information (CORI) from the department of criminal justice information services of prospective employee(s) or volunteer(s) of the school department including any individual who regularly provides school related transportation to children, who may have direct and unmonitored contact with children, prior to hiring the employee(s) or to accepting any person as a volunteer. State law requires that school districts obtain CORI data for employees of taxicab companies that have contracted with the schools to provide transportation to pupils.

The Superintendent, Principal, or their certified designees shall periodically, but not less than every three years, obtain all available Criminal Offender Record Information from the department of criminal justice informational services 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 designees may also have access to Criminal Offender Record Information 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.

Pursuant to a Department of Education regulation, "Direct and unmonitored contact with children" means contact with students when no other employee, for whom the employer has made a suitability determination of the school or district, is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication. The school employer may determine when there is potential for direct and unmonitored contact with children by assessing the circumstances and specific factors including but not limited to, whether the individual will be working in proximity with students, the amount of time the individual will spend on school grounds, and whether the individual will be working independently or with others. An individual shall not be considered to have the potential for direct and unmonitored contact with children if he or she has only the potential for incidental unsupervised contact in commonly used areas of the school grounds." 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 an acknowledgement form authorizing receipt by the district of all available CORI data from the department of criminal justice information services. In the event that a current employee has a question concerning the signing of the acknowledgement form, they may meet with the Principal or Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to local counsel for appropriate action. Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent, Principals or their designees certified to obtain information under the 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 shall be shared with the individual to whom it pertains, pursuant to law, regulation and the following model policy, and in the event of an inaccurate report the individual should contact the department of criminal justice informational services. 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 had determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

The hiring authority, subject to applicable law and the model policy, reserves the exclusive right concerning any employment decision. The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of the employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any employee, individual who regularly provides 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 Criminal Offender Record Information.

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 commission of probation may answer 'no record' with respect 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 compliant 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 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.

LEGAL REFS.: M.G.L. 6:167-178; 15D:7-8; 71:38R, 151B, 276:100A  
P.L. 92-544; Title 28 U.S.C. § 534; Title 28 C.F.R. 20.33(b)  
42 U.S.C. § 16962  
603 CMR 51.00  
803 CMR 2.00  
803 CMR 3.05 (Chapter 149 of the Acts of 2004)  
FBI Criminal Justice Information Services Security Policy  
Procedure for correcting a criminal record  
FAQ

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

## **NEW POLICY**

### **ADDA-R: DCJIS MODEL CORI POLICY**

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, and professional licensing applicants.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, the following practices and procedures will be followed.

#### **CONDUCTING CORI SCREENING**

CORI checks will only be conducted as authorized by the DCJIS, state law, and regulation, and only after a CORI Acknowledgement Form has been completed.

If a new CORI check is to be made on a subject within a year of their signing of the CORI Acknowledgement Form, the subject shall be given seventy-two (72) hours notice that a new CORI check will be conducted.

#### **ACCESS TO CORI**

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The district must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

#### **CORI TRAINING**

An informed review of a criminal record requires training. Accordingly, all district personnel authorized to review or access CORI will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

#### **USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING**

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

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

#### **VERIFYING A SUBJECT'S IDENTITY**

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

### **INQUIRING ABOUT CRIMINAL HISTORY**

In connection with any decision regarding employment, volunteer opportunities, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

### **DETERMINING SUITABILITY**

If a determination is made, based on the verification of identity information as provided in this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and
- (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

### **ADVERSE DECISIONS BASED ON CORI**

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

### **SECONDARY DISSEMINATION LOGS**

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside this organization, including dissemination at the request of the subject.

**Adopted May 15, 2023**

## WELLNESS POLICY

Section A: Foundations and Basic Commitments	File: ADF
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### PURPOSE AND GOALS

This document serves to guide the direction of the Newburyport Public Schools toward a school community and community at-large that enjoys higher levels of wellness. It contains policy elements and goal statements. It intentionally does not mirror the style of other policy documents, and is intended to be a living document that will evolve with progress toward our goals. Goals or statements that require additional budgetary or human resources describe a desired direction and do not imply a policy requirement.

The Newburyport Public School system is committed to promoting health and wellness for the students and staff within the school community. The District also collaborates with others to help improve the health and wellness of the whole community. The Newburyport Public School system supports guidelines for nutrition education, physical activity, food and beverages sold and served within our schools, and the establishment of a Wellness Advisory Committee. The Newburyport Public School System also strives to reduce youth risk behaviors and to build ASSETS in our youth and community through our curriculum and by collaborating with others in the community.

The Foods at School provisions of this policy was fully implemented by January 1, 2009 and the 105 CMR 225 Nutrition Standards for Competitive Foods and Beverages in Public Schools was implemented in August 2012.

### NUTRITION EDUCATION

- The curriculum will include nutrition education following the Massachusetts Department of Education (DOE) Curriculum Frameworks at all levels consistent with our system's goal of offering elementary, middle, and high school health education.
- The staff responsible for nutrition education will be provided curriculum and support materials as well as professional development activities as needed. Professional development activities will provide basic knowledge to effectively deliver an accurate nutrition education program as planned.
- The school cafeteria serves as a "learning laboratory" to allow students to apply their learning about nutrition and critical thinking skills taught in the classroom.
- The school system will provide information to families that encourage them to teach their children about health and nutrition.
- Students will be encouraged to start each day with a healthy breakfast.
- Students, parents and staff will learn about food allergies, their impact on child health, and the emotional dimensions of having an allergy.

## PHYSICAL ACTIVITY AND HEALTHY CHOICES EDUCATION

- Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate motor skills, social skills and knowledge.
- Policies ensure that state-certified physical education instructors teach all physical education classes.
- Time allotted for physical activity will be consistent with research, national and state standards.
- A daily recess period will be provided for students in grades kindergarten to eight, which is not used as a punishment or a reward.
- Physical activity participation will take into consideration the “balancing equation” of food intake and physical activity.
- Physical education will include the instruction of individual activities as well as competitive and non-competitive team sports to encourage life-long physical activity.
- Adequate equipment will be available for all students to participate in physical education. Physical activity facilities on school grounds will be safe.
- The school system will provide physical and social environments that encourage safe and enjoyable activity for all students.
- Schools are encouraged to provide community access to and encourage students and community members to use the school’s physical activity facilities outside of the normal school day.
- The District supports and helps to coordinate initiatives and programs that promote physical activities, such as a walk to school program or community activities that promote fitness.
- The Newburyport Public Schools will collaborate with the Beacon Coalition and other community agencies and organizations to promote the goals of this policy in the community at large.

## OTHER SCHOOL BASED ACTIVITIES

- After school programs will encourage physical activity and healthy habit formation.
- Support for the health of all students is demonstrated by having a school nurse in every building, hosting health screenings, and helping to enroll eligible children in Medicaid and other state children’s health insurance programs. Having the community hospital and other health support systems involved will support the goals.

## NUTRITION GUIDELINES FOR ALL FOODS AT SCHOOL

- There will be District guidelines, reviewed as needed, disallowing certain foods and practices and encouraging other foods and practices. These shall be reviewed as needed by the Wellness Advisory Committee in conjunction with Food Services or other designees. Recommendations will be forwarded to the Superintendent as needed.
- Policies will be developed by Principals in consideration of recommendations made by each School Council that will limit foods and determine other practices at the school level that will support the essential principles of this Wellness Policy. Practices addressed shall include parties and celebrations, individual student snacks, fund-raisers, vending, sale of food on campus during school hours (hot dog stands, special event vendors, etc.), field trips, and any food brought into school outside of the school lunch program. School level policies shall strictly observe the District Guidelines immediately following. School-level and District policies will be regularly communicated to parents and students and, what is appropriate will be included in student/parent handbooks and other annual publications.

### District Guidelines on Foods and Food Practices During School Hours

- Soda and candy shall not be allowed in school.
- Nuts and nut products, peanuts and peanut products are restricted foods. Allowance of these foods will be based on health concerns in each school. Decisions in regard to these foods rest with the Principal and School Nurse and shall reflect District policies and guidelines issued by the Massachusetts Department of Public Health. The Principal shall have final authority.
- Food shall not be used as a reward or given out as a treat by school staff at any time with the exception of approved celebrations and in situations where food is part of an Individualized Education Plan. Staff may not otherwise provide candy to students unless indicated in a child's health plan or as directed by a medical professional.
- Fund-raising activities shall not sell or provide food to students for consumption on school premises during school hours.

Principals and School Councils shall consider the following lists when developing school-level rules in regard to foods brought into the school outside of the school lunch program:

### School-level Policies Shall **Encourage** These Foods and Practices

100% juice

Milk, fat free and 1% fat

Fresh fruit

Vegetables

Whole grain products

Foods on Massachusetts A la Carte  
and food and beverage standards list

Celebrations and parties that  
feature activities rather than  
food



### School-level Policies Shall **Limit** These Foods

High sugar, fat, or sodium snacks, foods and beverages including, but not limited to, the

following:

Cakes	Full fat dairy products
Cookies	Ice cream
Cupcakes	Pies
Doughnuts	

### And School-level Policies Shall **Limit** These Practices

Parties and celebrations with food

Home prepared foods and baked goods without specific ingredients lists

## EATING ENVIRONMENT

- Students will be provided adequate time to eat lunch (approximately 20 minutes for lunch).
- Lunch periods will be scheduled as near the middle of the school day as possible.
- Cafeterias will include enough serving areas so that students do not have to spend too much time waiting in line.
- Drinking water will be available for students at meals through the water dispensers located throughout the schools.
- Cafeteria climate can be evaluated by the Wellness Advisory Committee representative. Recommendations will then be forwarded to the Wellness Advisory Committee.

## SCHOOL LUNCH PROGRAM

- The school breakfast and lunch program will ensure that all students have affordable access to the varied and nutritious foods they need to stay healthy and learn well.
- The school system will strive to increase participation in the available federal Child Nutrition programs, including breakfast where available.
- All food service personnel shall have adequate in-service training in food service operations meeting state annual hourly requirements.

- All foods and beverages sold individually by the contracted food service provider, à la carte or in vending machines, will serve to enhance a student's school lunch with the focus on healthier food and beverage choices. These choices will follow the USDA Dietary Guidelines and the Massachusetts A la Carte and Food and Beverage Standards.
- Meals served through the National School Lunch and Breakfast Programs will meet or exceed nutrition requirements established by local, state, and federal statutes and regulations, and offer a variety of fruits and vegetables. Portion control and nutritious food choices will be considered in the pricing of our school lunch.
- deleted because the breakfast program was expanded
- There shall be no discrimination in any manner within the school lunch program.
- No soft drinks (soda/pop) will be available for sale to students at any school.
- Meals served through the National School Lunch and Breakfast Programs will be appealing and attractive to children, served in clean and pleasant settings, meet or exceed nutrition requirements established by local, state, and federal statutes and regulations, and offer a variety of fruits and vegetables. Portion control and nutritious food choices will be considered in the pricing of our school lunch.
- There shall be no discrimination in any manner within the National School Lunch and Breakfast Program sold and served to students.
- Principals, in collaboration with the Wellness Advisory Committee, the contracted Food Services Manager, or other designees will have oversight of the school lunch program within their buildings.

## FOOD SAFETY AND FOOD SECURITY

- All foods made available on school grounds will comply with the state and local food safety and sanitation regulations. Hazard Analysis and Critical Control Points (HACCP) plans and guidelines will be implemented to prevent food illness in schools.
- All food service Kitchen Managers and Assistant Kitchen Managers will be Serv-Safe Certified and participate in continuing staff development and training. Remaining Food Service staff will be Serv-Safe Trained.
- For the safety and security of the food and facility, access to the food service operations will be limited to Child Nutrition staff, custodial and authorized personnel (US Department of Agriculture food security guidelines).

## YOUTH RISK BEHAVIOR

The Newburyport Public Schools will systematically address youth risk behaviors by:

- Participating in the Youth Risk Behavior Survey and the ASSETS survey on a regular basis.
- Educating the public about the meaning of the survey data.

- Organizing the wellness curriculum to systematically address risk behaviors and health choices from kindergarten through grade twelve.
- Collaborating with the Beacon Coalition and other organizations to impact students, families, and the larger community, in regard to promotion of ASSET building and reduction of youth risk behaviors.
- Supporting intervention programs in the schools and in the community including Social Emotional Learning (Elementary Schools), Social-Emotional and Behavioral Universal Screening, USafe Social Emotional Learning and Wellness (high school), NAN Project (High School), Health and Prevention Program (High School), substance use prevention education (all levels), SBIRT screening programs (Middle and High School), Signs of Suicide Programs (Middle, High, and Senior Year), re-entry transition programs, and other similar intervention programs.
- Striving to secure a position in the school system dedicated to the coordination of health and wellness programming PK-12 through grant funding and allocations from the local education budget.
- Integrating resources procured through grants such as the Comprehensive School Health Services grant with wellness and prevention efforts and programs.
- Maintaining a publicly accessible web site that provides information about issues and services pertaining to health and wellness and that serves as a resource for the schools and community.

## IMPLEMENTATION AND MONITORING

The individual health needs of each student will be taken into consideration in the implementation of this policy and these guidelines.

### Wellness Advisory Committee

The Wellness Advisory Committee will foster and monitor physical activity, wellness, good nutrition, and healthy choices in our schools. The Advisory Council will be co- chaired by the Asst. Superintendent and School Nurse Leader

The Wellness Advisory Committee will consist of members appointed by the Superintendent representing the following constituencies:

- Superintendent
- Assistant Superintendent- Co-chair
- School Nurse Leader- Co-chair
- Parents
- High School Students
- Teachers
- Food Services Director
- High School Wellness Department Chair

- Representative of Youth Services and the Beacon Coalition
- School Prevention Specialists
- Clergy

The Wellness Advisory Committee's role and responsibilities will include but not be limited to:

1. Recommend procedures to the Superintendent and Principals to implement this policy.
2. Review the policy and the implementation procedures annually.
3. Monitor and evaluate the progress toward compliance with the goals of the policy.
4. Measure the outcomes of the changes implemented by various tools such as student satisfaction surveys, parent satisfaction surveys, school health statistical data collected in compliance with the Department of Public Health (DPH), and other data collection and monitoring mechanisms.
5. added back-Provide an annual report to the Superintendent of Schools regarding the policy and its implementation, including recommendations and measures to take to improve student wellness by May 15th of each year.
6. Advise the contracted food services provider on meeting the goal of offering healthy, attractive, and student-acceptable breakfast, lunch, and à la carte food items that meet or exceed federal and state guidelines.
7. Support school based wellness initiatives as they develop
8. Act as a liaison to municipal agencies that are collaborating with the Newburyport Public Schools on wellness programs.
9. Promote parent and staff education around the Wellness Policy.

The Superintendent shall annually report to the School Committee progress toward the ends of the School Committee's policy on wellness and the goals of this administrative policy at or before the last School Committee meeting of the school year.

#### Version Control

Action	Date
Read	10-6-2008
Reviewed	1-22-2016; March 2018
Revised	2-2022
Approved	4-26-2022

## **Section B: Board Governance & Operations**

BAA: EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

BB: SCHOOL COMMITTEE LEGAL STATUS

BBA: SCHOOL COMMITTEE POWERS AND DUTIES

BBAA: SCHOOL COMMITTEE MEMBER AUTHORITY

BBBA/BBBB: SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

BBBC: SCHOOL COMMITTEE MEMBER RESIGNATION

BBBE: UNEXPIRED TERM FULFILLMENT

BCA: SCHOOL COMMITTEE MEMBER ETHICS

BCB: [DELETED – REPLACED WITH BCA]

BCD: SCHOOL COMMITTEE OPERATING PRINCIPLES AND NORMS OF INTERACTION

BDA: SCHOOL COMMITTEE ORGANIZATIONAL MEETING

BDB: SCHOOL COMMITTEE OFFICERS

BDD: SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

BDE: SUBCOMMITTEES OF THE SCHOOL COMMITTEE

BDF: ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE

BDFA: SCHOOL COUNCILS

BDFA-E: SCHOOL IMPROVEMENT PLAN

BDG: SCHOOL ATTORNEY

BE: SCHOOL COMMITTEE MEETINGS

BEC: SCHOOL COMMITTEE EXECUTIVE SESSIONS

BEDA: NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

BEDD: RULES OF ORDER FOR SCHOOL COMMITTEE MEETINGS

BEDF: Voting Method

BEDG: MINUTES

BEDH: PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS

BEE: SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

BG: SCHOOL COMMITTEE POLICY DEVELOPMENT

BGB: POLICY ADOPTION

BGC: POLICY REVISION AND REVIEW

BGD: SCHOOL COMMITTEE REVIEW OF PROCEDURES

BGE: POLICY DISSEMINATION

BGF: SUSPENSION OF POLICIES

BHC: SCHOOL COMMITTEE-STAFF COMMUNICATIONS

BHE: USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

BIA: NEW SCHOOL COMMITTEE MEMBER ORIENTATION

BIBA: SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

**NEW POLICY**

**BAA: EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES**

The School Committee will periodically establish realistic objectives related to Committee procedures and relationships. Concurrent with the summative evaluation of the Superintendent, the Committee will measure its performance against the stated objectives.

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

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

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

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

CROSS REF.: CBI, Evaluation of Superintendent

**Adopted: May 15, 2023**

**UPDATED POLICY**

**BB: 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.

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  
Newburyport Charter, Section 4

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

**Adopted: September 6, 2016**

**Revised: May 15, 2023**



## UPDATED POLICY

### BBA: 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 district 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 thereto, 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.

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

**Adopted: September 16, 2016**

**Revised: May 15, 2023**

## **UPDATED POLICY**

### **BBAA: 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 their 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 district.
4. To work effectively with other Committee members without trying either to dominate the Committee or neglect their 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 all students.
7. To accept the will of the majority vote in all cases, and to remember that they are 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.

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

**NEW POLICY**

**BBBA/BBBB: 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 of Newburyport 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 their 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.

Newly qualified Committee members shall, by law, receive and sign a receipt for, within 30 days of taking office, a copy of the Massachusetts Ethics Commission's Summary of the Conflict of Interest laws. As municipal employees, all School Committee members shall receive a copy of said summary annually. All School Committee members shall, within 30 days of taking office, and every 2 years thereafter, complete the Massachusetts Ethics Commission's online training program. Upon completion of the online training program, members shall provide notice of such completion to be retained for 6 years by the City Clerk.

LEGAL REFS.: M.G.L. 30A:20; 41:1; 41:107; 76:5; 268A:27-28

**Adopted: May 15, 2023**

**NEW POLICY**

BBBC: 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 of Newburyport, that member shall be deemed to have vacated the office.

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

**Adopted: May 15, 2023**

**NEW POLICY**

**BBBE: UNEXPIRED TERM FULFILLMENT**

When a vacancy on the School Committee occurs for any reason, the City Council and the remaining members of the Committee share the responsibility for filling it.

As provided in the law, the School Committee will notify the City Council that a vacancy has been created within 30 days after it has occurred. After one week's notice has been given by the Committee to the City Council, so that voters of the municipality may have the opportunity to state their candidacy, the two governing bodies will meet to fill the vacancy by roll call vote.

For election to fill a vacancy, a candidate must receive a majority of the votes of the officers entitled to vote. The person so elected will fill the seat on the Committee for the remainder of the unexpired term. However, if the vacancy occurs within the first eighteen months of an unexpired term, the person will serve until the next biennial city election, at which the voters will elect a person to fill the remainder of the unexpired term.

LEGAL REF.: M.G.L. 41:11

Newburyport City Charter, Article 4, Section 6

**Adopted: May 15, 2023**

**NEW POLICY (Replace BCB)**

**BCA: SCHOOL COMMITTEE MEMBER ETHICS**

The acceptance of a Code of Ethics implies the understanding of the basic organization of School Committees under the Laws of the Commonwealth of Massachusetts. The oath of office of a School Committee member binds the individual member to adherence to those State Laws which apply to School Committees since School Committees are Agencies of the State.

This Code of Ethics delineates three areas of responsibility of school committee members:

1. Community responsibility;
2. Responsibility to school administration; and,
3. Relationship to fellow committee members.

1. A School Committee member in their relations with the community should:

- a) Realize that their primary responsibility is to the children.
- b) Recognize that their basic function is to the policy-making and not administrative.
- c) Remember that they are 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 they represent 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 their committee activities.
- g) Remember and make clear that they speak as individuals, and not for the committee as a whole.

2. A School Committee member in their relations with the school administration should:

- a) Endeavor to establish sound, clearly-defined policies which will direct and support 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 all matters of employment or dismissal of school personnel.
- d) Give the chief administrator full responsibility for discharging his professional duties and hold them responsible for acceptable results.
- e) Refer all complaints to the administrative staff for solution and only discuss them at committee meetings if such solutions fail.

3. A School Committee member in their relations to their fellow committee members should:

- a) Recognize that action at official meetings is binding and that they alone cannot bind the committee outside of such meetings.
- b) Realize that statements or promises should not be made regarding how they 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 sessions.
- d) Not withhold pertinent information on school matters or personnel problems.
- e) Make decisions only after all facts on a question have been presented and discussed.

**Adopted: May 15, 2023**

BCB: [DELETED – REPLACED WITH BCA]



# SCHOOL COMMITTEE OPERATING PRINCIPLES & NORMS OF INTERACTION

<b>Section B: School Committee Governance and Operations</b>	<b>File: BCC-BCD</b>
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The School Committee will:

1. Represent the needs and interests of all students in the district, striving to represent common interests rather than factions. We will make decisions that are best for students in all cases: all means all.
2. Exercise leadership in vision, planning, policy making, evaluation, and advocacy on behalf of the students and district, not in managing the day-to-day operations of the district.
3. We will communicate positively about other school committee members, staff, and the system. As advocates for Newburyport Public Schools and public education, we readily accept our roles promoting support for public education and spreading the news of our success.
4. Conduct its business through a set agenda. Emerging items will be addressed in subsequent meetings through agenda items, with the exception of items that are time sensitive or require urgent attention.
5. Provide full disclosure. Each member will provide input, encouragement, express concerns and positions rather than withhold information from other members. When a school committee member feels that there has not been full disclosure, an objective process for revisiting the issue will be used.
6. Maintain an open environment where each member is empowered to freely express opinions, concerns, and ideas. School committee members will engage in active listening to clarify and restate discussions in order to strive for full understanding. We will provide continuing education opportunities and support to each other, striving to build trusting relationships.
7. Keep an open mind and accept that they can change their opinions by recognizing that they are not locked into their initial stated positions.
8. Make decisions on information and not on personalities. School committee members will act with the best information available at the time considering data, the superintendent's recommendations, proposals, and suggestions. School committee members will strive to make the best decisions at the time, without waiting for the perfect decision.
9. Debate the issues, not one another. The school committee will engage in critical and creative thinking, expecting all school committee members to freely offer differing points of view as part of the discussion, prior to making a school committee decision.
10. Be clear about, and stay true to, the role of the school committee. Not take unilateral action. A committee member's authority is derived through the majority of the school committee acting as a whole during an open public meeting. We will reach decisions by consensus, and individual members will publicly abide by those decisions, speaking with one voice, once a vote is taken. We will recognize a single official "voice" of the school committee.
11. Attend meetings on time and well prepared to discuss issues on the agenda, and will be prepared to make decisions, striving for efficient decision making.
12. Strive to have no surprises for the committee or superintendent. Surprises will be the exception. All members will provide and receive the same information in a timely manner.
13. Respect all persons presenting to the school committee.
14. Follow the chain of command and direct others to do the same. Personnel complaints and concerns will be directed to the superintendent.
15. Review and revise operating principles, as needed, as part of the school committee's self-evaluation.

16. Recognize that all communications created and received to our district email accounts are public documents, unless a specific statutory exemption applies.
17. Refrain from reading or sending electronic communications, and remain off of all social media platforms during meetings, in the interest of transparency.

**References:**

SOURCE: Newburyport School Committee

**Version Control**

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016
Revised	5/3/2021

**NEW POLICY (Replace existing BCA)**

**BDA: SCHOOL COMMITTEE ORGANIZATIONAL MEETING**

For the purpose of organizing, the School Committee shall meet on the first Monday in January of each year. The Chairperson, or in their absence, the most senior member present in point of service on the Committee, shall call the meeting to order.

- The Committee, by viva-voce vote, shall elect one member to serve as Vice- Chairperson.
- The Committee, by viva-voce vote, shall adopt the rules and regulations for its proceedings.
- The Committee, by viva-voce vote, shall designate one member to sign payrolls and vouchers. In the absence of the member so designated, payrolls and vouchers will be signed by the designated alternate chosen by the Committee.

The Vice-Chairperson shall preside at all meetings, if so requested by the Chairperson.

**Guides to Conduct, Operation and Practices**

1. The Newburyport School Committee guides its conduct, operations and practices by three documents:
  - a. The Code of Ethics of the Massachusetts Association of School Committees
  - b. The Newburyport School Committee Operating Principles & Norms of Interaction
2. In order to ensure consistent understanding and application of these documents and the practices included therein these documents will be read aloud and points of clarification discussed during the School Committee Organizational meeting each year.
3. It is the responsibility of all School Committee members to both follow and enforce the letter and spirit of the Code of Ethics, the Norms of Interaction, and the Principles of Operation. In order to confirm our acceptance of this point, each member shall sign a copy of each document after its reading and acceptance at the annual organizational meeting.
4. In the event that a School Committee member observes another member in violation of any of these documents, she/he will report the violation to the Vice Chair.
  - a. The vice chair or their designate will speak to the offender to correct the behavior.
  - b. A second offense will cause a comment during a public school committee meeting.
  - c. Further violations are cause for a vote of censure by the entire committee.
5. The Vice Chair shall keep a record of all offenses and once a quarter shall report to the committee those items that suffered multiple violations so that they may be brought up for discussion and clarification.

Legal Ref: Newburyport City Charter, Article 4

**Adopted: May 15, 2023**

## **UPDATED POLICY**

### **BDB: SCHOOL COMMITTEE OFFICERS**

The membership of the Committee consists of the Mayor, who shall be the Chairperson, and six members elected at-large for a term of four years, three of whom shall be elected at each biennial city election.

#### **Duties of the Chair**

The Chair 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. They will perform those duties that are consistent with the office and those required by law, state regulations, and this Committee. The Vice-Chairperson shall preside at all meetings, if so requested by the Chairperson. In the absence of the Chairperson and the Vice-Chairperson, the most senior member present in point of service shall preside.

#### **In carrying out these responsibilities, the Chair/Designee will:**

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

#### **As presiding officer at all meetings of the Committee, the Chair/Designee will:**

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

#### **Duties of the Vice-Chair**

The Vice-Chairperson shall preside at all meetings, if so requested by the Chairperson. The Vice-Chair of the Committee will act as presiding officer of the Committee and will perform such other duties as may be delegated or assigned to them.

### **Duties of the Superintendent**

The Superintendent shall be the chief executive officer and shall serve as or designate a person to serve as Secretary of the Committee. They shall exercise general supervision over the schools in accordance with the policies of the Committee and subject to its direction.

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

**UPDATED POLICY**

**BDD: SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP**

The Committee will leave to the Superintendent all matters of decision and administration that come within their scope as executive officer or as professional leader of the school district. While the Committee reserves to itself the ultimate decision of all matters concerning general policy or expenditures of funds, it will normally proceed in these areas after receiving recommendations from its executive officer. Further:

1. The Superintendent may seek guidance from the Committee with respect to matters of operation whenever appropriate. If it is necessary to make exceptions to an established policy, they will submit the matter to the Committee for advice and direction.
2. The Superintendent will assist the Committee in reaching sound judgments and establishing policies, and will place before the Committee all relevant facts, information, and reports necessary to keep the Committee adequately informed of situations or business at hand.

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

## **UPDATED POLICY**

### **BDE: SUBCOMMITTEES OF THE SCHOOL COMMITTEE**

The Committee may establish subcommittees whenever it deems advisable. The members of such subcommittees shall be designated by the Chairperson. The subcommittees, comprised of less than a quorum of the full School Committee, will be established by action of the School Committee.

1. The School Committee Chair will appoint the subcommittee chair and its members.
2. Each subcommittee will be provided with a charge and a list of functions and duties.
3. The subcommittee may make recommendations for School Committee action, but may not act for the School Committee. In all its decision making the school Committee acts as a whole, and subcommittees are designed to assist the School Committee in its work and deliberations.
4. The School Committee, upon the completion of the subcommittee's assignment will dissolve a subcommittee, or a subcommittee may be dissolved at any time by vote of the School Committee at any time.
5. Subcommittees will conduct meetings in open session, except when an executive session is necessary as prescribed by state law. Meetings will be held at publicly announced times and places. A summary of the open meeting law will be given to each subcommittee chair. The Central Office will announce and post the times and locations of all meetings.

The School Committee has the following standing subcommittees:

- Finance – Responsible for informing the School Committee on all fiscal matters, including but not limited to the operational budget, capital projects, and fundraising.
- Policy – Responsible for the development of policy as guides for administrative action, works with the Superintendent who will implement these policies. This subcommittee evaluates the effectiveness of district policies and their implementation, reporting back to the School Committee.
- Superintendent Evaluation – Responsible for managing the overall process of evaluating the Superintendent in accordance with the DESE statutory requirements.

**Adopted: September 6, 2016**

**Revised: June 5, 2023**

## **UPDATED POLICY**

### **BDF: 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 School 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.

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

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

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

## **UPDATED POLICY**

### BDFA: SCHOOL COUNCILS

All schools are required to have School Councils which meet regularly to assist the principal in:

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

The School Committee believes that schools are key units for educational improvement and change and the successful school improvement is best accomplished through a school community based decision making process. This ensures commitment and support of those most affected by any implemented changes.

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 district strategic plan. In addition, decisions must comply with state and federal laws and regulations, and with any negotiated agreements of the school district.

The principal, except as specifically defined in the law, shall have the responsibility for defining the composition of and forming the School Council pursuant to a representative process approved by the Superintendent and School Committee.

Conduct of School Council Business:

- The principal serves as co-chair. The second co-chair is elected at the first meeting of the school year following the election of new members.
- There must be parity between faculty and parents/guardians of current students.
- All meetings are public meetings and subject to Open Meeting Laws, and each member reads the Open Meeting Law rules and sign off to their understanding of the law.
- Agendas must be posted at least 48 hours prior to the meeting and minutes must be taken and posted. Agendas and minutes are to be sent to the Executive Assistant to the Superintendent for this purpose.
- School Councils have the responsibility for creating the School Improvement Plan which should reflect District goals and practices.
- Other areas the School Council may wish to focus on include:
  - Improving school/student performance
  - Budget development
  - Program development
  - School-community relations

LEGAL REFS.: M.G.L. 71:38Q (Professional Development Plans), 71:59C (School Councils, members, meetings, duties)

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

**NEW POLICY**

**BDFA-E: SCHOOL IMPROVEMENT PLAN**

The Principal, in conjunction with the school council, shall be responsible for preparing a written school improvement plan biannually.

This plan shall be written and submitted for approval or review to the Superintendent no later than October 1 of the year in which the plan is to be implemented and reviewed by the School Committee. The plan should be drafted with the following in mind:

1. The educational goals for the school, consistent with District mission and goals, and the goals and standards, including student performance standards, as adopted by the Massachusetts Board of Elementary and Secondary Education.
2. An assessment of the needs of the school in light of the proposed educational goals.
3. The means to address student performance, with focus on improvement of student learning.
  - a. Specify expected student outcomes and measurable/observable results.
  - b. Clearly identify actions to be taken to implement the goals.
  - c. Indicate anticipated costs and available funding sources.
  - d. Delineate the method of evaluating and reporting progress and results.
4. Professional development for the school's professional staff.
5. The enhancement of parent/guardian involvement in the life of the school, safety, and discipline.
  - a. Include a plan on how to solicit community support for the changes being developed.
6. The development of means for meeting the diverse learning needs of every child.
7. The establishment of a culture of inclusion and respectful of diversity.
8. 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.

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.

**Adopted: May 15, 2023**

**UPDATED POLICY**

**BDG: SCHOOL ATTORNEY**

It will be the duty of the School Committee to hire legal counsel to represent the School Committee in various manners. The School Committee delegates its authority to the Superintendent of Schools to determine when legal counsel should be sought.

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 them. They 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 them 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, they will advise the Committee and seek either initial or continuing authorization for such service.

The School Committee may ALSO use the services provided by the City Counsel. The Committee and the Superintendent may seek their services to counsel and represent the school system at various times.

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

Adopted: September 6, 2016

Revised: May 15, 2023

## UPDATED POLICY

### BE: 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.

#### Meetings

- a) The School Committee will meet on the first Monday of each month from August through June. The Committee will meet on the third Monday of the month, except in the month of July. The Committee shall set a standard start time and location for these meetings during the first meeting of each new year. The Committee may, by a majority vote, and for good reason, change the date, place or time of the regular meeting.
- b) Special meetings will be scheduled when called by the Chairperson and/or their designee, requested by two or more members, or collectively agreed upon by a majority of the committee as the result of a discussion during a regular meeting or an executive session. The need for timeliness for such a meeting will be recognized when it's scheduled. The notice of the special meeting shall state the reason for the meeting and shall be transmitted to each member and to the City Clerk at least two (2) business days, excluding weekends and holidays, prior to the time of the meeting.
- c) The Committee may, by a majority vote of those present, there being a quorum, adjourn any meeting to another date and time, and such meeting shall be deemed a continuation of the present meeting. The meeting shall be posted in the office of the City Clerk at least two (2) business days, excluding weekends and holidays, prior to the time of the meeting.
- d) The Committee may, by a majority vote, conduct a public hearing to ascertain public opinion on a subject that is before the Committee and shall, in any case, conduct a public hearing on the school budget in accordance with the law. The Committee shall set the date, time, and place of such public hearing and shall establish rules for the conduct of such hearing.
- e) The Committee may meet from time to time for the purpose of receiving information and discussing matters pertaining to the educational program of the schools. Any such session shall be posted in the office of the City Clerk at least two (2) business days, excluding weekends and holidays, prior to the time of the meeting.
- f) Any duly-called meeting of the Committee may, for good and sufficient reason, be canceled or postponed by the Chairperson or the Vice-Chairperson. When the Chairperson or the Vice-

Chairperson cancels or postpones a meeting, they shall inform the Superintendent, whose responsibility it shall be to notify the members.

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

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

**Adopted: June 6, 2016**

**Revised: May 15, 2023**

## **UPDATED POLICY**

### **BEC: SCHOOL COMMITTEE 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 their 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 effect 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.



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.

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

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

**UPDATED POLICY**

**BEDA: 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 will be accomplished by periodic publication of the schedule for the ensuing months. 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 or place and notification of a special meeting will be filed with the city clerk at least 48 hours in advance, as required by law.

**School Committee Meetings**

Except in the case of an emergency, the school committee shall not meet on the same day as a regular city council meeting.

**Oath of Office of Mayor, City Council, and School Committee**

A mayor-elect (as applicable), the city council-elect, and the school committee members-elect (as applicable) shall, on the first Monday in the January of each even-numbered year, except when said first Monday falls on a legal holiday, in which event on the following day, meet and be sworn to the faithful discharge of their duties by the city clerk. The absence of the city clerk, oaths may be administered by the assistant city clerk, or by a judge of a court of record, or by a justice of the peace. Upon receiving the oath, each said official shall document the same by entering his name in a journal maintained by the city clerk.

**Annual Budget Meeting**

The mayor shall call a joint meeting of the city council and school committee, to include the superintendent of schools, before the commencement of the annual budget process to review the financial condition of the city, revenue and expenditure forecasts, and other relevant information prepared by the mayor in order to develop a coordinated budget.

LEGAL REFS.: M.G.L. 30A:18-25;  
CROSS REFS.: BE, School Committee Meetings

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

## UPDATED POLICY

### BEDD: RULES OF ORDER FOR SCHOOL COMMITTEE MEETINGS

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.

#### **Typical Procedure for Handling a Motion:**

##### NOTE:

Nothing goes to discussion without a motion being on the floor.

#### **Obtaining and assigning the floor**

A member raises hand when no one else has the floor

- The chair recognizes the member by name

#### **How the Motion is Brought Before the Committee:**

- The member makes the motion: *"I move that (or "to")..."* and resumes their seat.
- Another member seconds the motion: *"I second the motion"* or *"I second it"* or *"second"*
- The chair states the motion: *"It is moved and seconded that... Are you ready for the question?"*

#### **Consideration of the Motion**

1. Members can debate the motion.
2. Before speaking in debate, members obtain the floor.
3. The maker of the motion has first right to the floor if they claim it properly
4. Debate must be confined to the merits of the motion.
5. Debate can be closed only by order of the committee (2/3 vote) or by the chair if no one seeks the floor for further debate.

#### **The chair puts the motion to a vote**

1. The chair asks: *"Are you ready for the question?"* If no one rises to claim the floor, the chair proceeds to take the vote.

2. The chair says: *“The question is on the adoption of the motion that ... As many as are in favor, say ‘Aye’.”* (Pause for response.) *“Those opposed, say ‘Nay’.”* (Pause for response.) *“Those abstained please say ‘Aye’.”*

**The chair announces the result of the vote.**

1. *“The ayes have it, the motion carries, and...”* (indicating the effect of the vote) or
2. *The nays have it and the motion fails*

**Sources:** Robert's Rules of Order, Newly Revised

**Adopted:** September 6, 2016

**Revised:** May 15, 2023

# VOTING METHOD

Section B: School Committee Governance and Operations	File: BEDF
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## 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. "Majority vote", when used in connection with a meeting of a multiple member body shall mean a majority of those present and voting, unless another provision is made by ordinance or by its own rules.

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. General Law provisions related to any vote to meet in "executive session" shall always require a majority of members of the body.

Any votes taken to ratify employment contracts or collective bargaining agreements shall be taken in open session.

## Remote Participation and Voting:

The CITY COUNCIL of the City of Newburyport hereby authorizes remote participation in meetings held by all City of Newburyport public bodies subject to the Open Meeting Law and pursuant to 940 CMR 29.10. For the purposes of this order, remote participation shall be permitted under the following terms and conditions:

### Media:

Telephone, internet, satellite enabled audio/video conferencing, or other similar technology may be used for remote participation provided that the participant and all in attendance can hear each other. If videoconferencing is used, the member participating remotely must be visible to all in attendance.

### Quorum:

A quorum of the public body, including the chair or, in the chair's absence, the person authorized to chair the meeting, must be physically present at the meeting location before an absent member may participate remotely.

### Votes:

If any member of the public body is participating remotely, all votes of the body, including those taken in open session, are required to be by roll call and the results of the roll must be recorded in the minutes.

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**Status:**

A member participating remotely may vote, and is not deemed to be absent from the meeting, including for purposes of MGL Chapter 39 Section 23D.

**Reasons:**

Acceptable reasons for participating remotely include one or more of the following: personal illness, personal disability, emergency, military service or geographic distance. A member cannot participate remotely for convenience.

**Notification:**

A member who will not be present at a meeting must notify the chair as far in advance as possible. The chair must announce at the beginning of the meeting the name of the person participating remotely and the reason. The categories listed above under Reasons may be used for this announcement such that a member's privacy rights are protected, especially with respect to illness or disability.

**Technical Issues:**

If technical issues arise with the media connection, the chair must decide how to address them. Deliberations shall be suspended while the difficulties are addressed. If the remote member is disconnected during the meeting, the minutes must reflect this fact.

**Use of Plans and Other Visuals:**

The chair or, in the chair's absence, the person authorized to chair the meeting, shall distribute to remote participants, in advance of the meeting, copies of all relevant documents, exhibits, and presentation materials used during the meeting. If a member of the public body is remotely participating in a public hearing relative to the issuance of any permit involving a site plan or architectural drawings, that member must utilize video conferencing such that all maps, plans or other presentation materials used or referenced during the meeting are visible. This requirement for video conferencing is not necessary where the member has already received a copy of all relevant maps, plans, or other presentation materials and no new materials are introduced during the meeting.

**Executive Session:**

There shall be no remote participation in any executive session including, but not limited to, any vote to go into or out of said executive session.

**Actions Requiring Special Voting Treatment:**

**Contracts and Collective Bargaining:** Any votes taken to ratify employment contracts or collective bargaining agreements shall be taken in open session.

**Policy Formulation and Adoption:** Adoption of new policies, or modification of existing policies, shall be the sole responsibility of the full School Committee. Policies will be adopted by affirmative vote of a majority of the School Committee when such action has been scheduled on the agenda of a regular or special meeting. Except under emergency conditions, proposed policies will be presented in two meetings, the first one of which is for information, discussion and redrafting purposes. The second meeting for discussion, adoption or rejection.

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**Retirement of Facilities:** While considering the criteria, The School Committee realizes that no school may be closed and surrendered to the city without the affirmative vote of a majority of the school committee, and only after a public hearing has been held, and the parents of the students involved have been notified by mail by the Office of the Superintendent of Schools at least two weeks prior to the date of the public hearing of the proposed closing.

**Sources:**

Newburyport City Charter

MASC

LEGAL REFS.: M.G.L. 3 30A:18-25; 71:42; 71:50

Robert's Rules of Order, Newly Revised

**Version Control**

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016

## **UPDATED POLICY**

### **BEDG: 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 date, 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 72 hours in advance of the meeting at which the minutes are to be approved. Minutes of all meetings shall be created and approved in a timely manner which is defined in regulation as within the next 3 meetings of the body or within 30 days, whichever is later.

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. Documents used during a School Committee meeting become part of the official record and must be maintained, based upon their content, in accordance with the Commonwealth's Municipal Public Records Retention Schedule.

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

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

**Adopted: September 6, 2016**

**Revised: May 15, 2023**



## **UPDATED POLICY**

### **BEDH: 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 individuals 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 public comment.

Public comment is not a discussion, debate, or dialogue between individuals and the School Committee. It is an individual's opportunity to express an opinion on issues within the School Committee's authority.

To ensure the ability of the School 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 will sign in for an opportunity to speak during public comment. All speakers are encouraged to present their remarks in a respectful manner
2. Speakers will be allowed up to two (2) minutes to present their material and must begin their comments by stating their name and city/town. The presiding Chair may permit extension of this time limit, in extenuating circumstances.
3. Topics for public comment should be limited to those items within the School Committee's scope of authority. The authority of the School Committee primarily concerns the review and approval of the budget of the district's public schools, the performance of the Superintendent, and the educational goals and policies of the district's public schools. Comments and complaints regarding school personnel (apart from the Superintendent) or students are generally prohibited unless those comments and complaints concern matters within the scope of School Committee authority.
4. The Chair of the meeting, after a warning, reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats that are likely to provoke a violent reaction and cause a breach of the peace, or incitement to imminent lawless conduct.
5. Written comments longer than two (2) minutes may be presented to the presiding Chair before or after the meeting. All remarks will be addressed through the Chair of the meeting. Comments made during the public comment portion of the meeting do not necessarily reflect the views or positions of the Newburyport School Committee.

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

CROSS REFS: BE, SCHOOL COMMITTEE MEETINGS

BEC, EXECUTIVE SESSIONS

BEDA, NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

**Adopted: September 6, 2016**

**Revised: August 21, 2023**

# SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

Section B: School Committee Governance and Operations

File: BEE

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

- Give due and public notice in line with statutory requirements and seek to publicize the meeting in all local media.
- Make available information on the topic of the hearing.
- 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.

## Sources:

MASC

## Version Control

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016

## **UPDATED POLICY**

### **BG: 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.

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.

School Committee Policies will be formulated by the Policy Sub Committee with direction and input from the full School Committee, at the request of the superintendent, or as required by state law or regulations.

Adoption of new policies, or the modification of existing policies shall be the sole responsibility of the full School Committee. Policies will be adopted by affirmative vote of a majority of the School Committee when such action has been scheduled on the agenda of a regular or special meeting. Except under emergency conditions, proposed policies will be presented in two meetings, the first, which is for information, discussion and redrafting purposes. The second, for discussion adoption or rejection.

The Superintendent may use any reasonable interpretation of these policies to perform duties.

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

## POLICY ADOPTION

Section B: School Committee Governance and Operations	File: BGB
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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:

First Reading:

All policies will have a first reading with the following guidelines:

- 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.

Second Reading:

- Follow-up 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.

### Sources:

MASC

### Version Control

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016

## POLICY REVISION AND REVIEW

Section B: School Committee Governance and Operations	File: BGC
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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.

### Sources:

MASC

### Version Control

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016

# SCHOOL COMMITTEE REVIEW OF PROCEDURES

Section B: School Committee Governance and Operations

File: BGD

It is expected that the Superintendent and administrative staff will need to issue procedures implementing policies of the School Committee. It is the responsibility of the Superintendent to manage the School System in accordance with written policies adopted by the School Committee. The School Committee will endorse any and all School System guidelines and procedures developed by the Superintendent that are in accordance with the advance the implementation of School Committee policies.

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.

### Sources:

MASC

Legal Ref.: MGL 71:37H

### Version Control

Action	Date
First Reading	7/22/2016
Second Reading	9/6/2016
Adopted	9/6/2016

**UPDATED POLICY**

**BGE: 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.

All policies will be posted on the website within 30 days of approval-

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

**NEW POLICY**

BGF: 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.

**Adopted: May 15, 2023**



**UPDATED POLICY**

**BHC: SCHOOL COMMITTEE-STAFF COMMUNICATIONS**

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

**Staff Communications to the School Committee**

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

**School Committee Communications to Staff**

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep staff fully informed of the Committee's problems, concerns and actions.

**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.

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

## **UPDATED POLICY**

### **BHE: 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. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

LEGAL REFS.: M.G.L.4:7; 30A:18-25; 66:10

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

## **UPDATED POLICY**

### **BIA: 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 or provided direct online access to 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:

- arranging visits to schools or administrative offices
- requesting information regarding school district operations
- responding to community requests/complaints concerning staff or programs
- 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.

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

CROSS REF.: BBBA/BBBB School Committee Member Qualifications/Oath of Office

**Adopted: September 6, 2016**

**Revised: May 15, 2023**

**NEW POLICY**

**BIBA: 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 School Committee will be made aware 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 district.
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.

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

CROSS REFS.: DKC, Expense Reimbursements

**Adopted: May 15, 2023**

## **Section C: General School**

### **Administration**

CA: ADMINISTRATION GOALS

CB: SCHOOL SUPERINTENDENT

CBB: [DELETED – REPLACED WITH CB]

CBD: SUPERINTENDENT'S CONTRACT

CBI: EVALUATION OF THE SUPERINTENDENT

CCB: STAFF RELATIONS

CE: ADMINISTRATIVE COUNCILS AND AD HOC COMMITTEES CH:

POLICY IMPLEMENTATION

CHA: [DELETED – REPLACED WITH CHA/CHC]

CHC: [DELETED – REPLACED WITH CHA/CHC]

CHA/CHC: DEVELOPMENT AND DISSEMINATION OF PROCEDURES

CHCA: APPROVAL OF HANDBOOKS AND DIRECTIVES

CL: [DELETED]

CM: SCHOOL DISTRICT ANNUAL REPORT

**UPDATED POLICY**

**CA: ADMINISTRATION GOALS**

It is the intent of the School Committee that the District employ qualified personnel to administer the school system efficiently and to require the Superintendent to organize the administration in a manner that will make clear the functions of each position and the relationships among them.

The Superintendent will establish clear lines of communication, both vertically and horizontally, and will form any staff councils or committees needed to provide for efficient conduct of school business. In order to engage in this process in an orderly and effective fashion, each individual and group will be given particular, clear-cut responsibilities. Channels will be established so that the recommendations and decisions of each group can be heard and reviewed by appropriate administrator concerned, and, where appropriate, by the Superintendent and School Committee.

The organization and administration of the schools will balance responsibility with commensurate authority, subject to the reserved legal powers of the School Committee. This means that a staff member, when assigned a responsibility or a position, will be given the authority to make the decisions necessary to perform the assigned tasks.

For the schools to operate effectively, each administrator will be responsible and accountable for making a plan of development for all staff assigned to their area of supervision. All staff will be responsible for developing professional practice goals and evidence of successful performance in the four standards required in the Massachusetts Educator Evaluations. The superintendent will also be responsible for developing district improvement goals and reporting annually on the progress of the strategic plan.

REFS.: DESE Educator Evaluation

**Adopted: November 21, 2016**

**Revised: May 15, 2023**

**NEW POLICY (Replace existing CBB)**

**CB: SCHOOL SUPERINTENDENT**

The School Committee shall employ a Superintendent of Schools and fix their compensation. The Superintendent shall act in accordance with General Laws, Chapter 71, Section 59, and shall perform such other duties consistent with this section as the School Committee may determine. They shall also prepare such reports as may be required by the State Dept. of Elementary and Secondary Education and shall submit materials for the School Committee's annual budget report to the Mayor in sufficient time for printing and submission to the City Council.

Specifically, the Superintendent is charged with the administration of the school system, subject only to policy guidelines and directives adopted by the School Committee. The Superintendent may also recommend and upon approval of the School Committee, appoint Assistant or Associate Superintendents as provided by law.

The Superintendent is also charged with make all reasonable rules and regulations for management of the Newburyport School District and for conducting the business of the schools as may be deemed necessary or desirable.

LEGAL REFS.: M.G.L. 71:59, 72:3, Newburyport City Charter

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

**Adopted: May 15, 2023**

CBB: [DELETED – REPLACED WITH CB]



**NEW POLICY**

**CBD: SUPERINTENDENT'S CONTRACT**

The Committee, upon the appointment of a candidate to be Superintendent, will enter into a written contract with the Superintendent which will meet the requirements of law and protect the rights of both the Committee and the Superintendent. In accordance with said contract or, in the absence of specific contract language, by vote of the members, the Committee may choose to negotiate a successor contract with an incumbent Superintendent.

LEGAL REFS.: M.G.L. 71:41; 71:42

**Adopted: May 15, 2023**

## UPDATED POLICY

### CBI: EVALUATION OF THE SUPERINTENDENT

Evaluation can serve the purpose of helping educators and educational leaders continually improve their practice. The Superintendent is evaluated annually for the first three years of their employment; and bi-annually after that.

Through evaluation of the Superintendent, the School Committee will strive to accomplish the following:

1. Ensure the efforts of the Superintendent are focused on district goals and the standards of professional practice established by state regulation are met by the Superintendent.
2. Ensure all Committee members and the Superintendent are in agreement and clear on the role of the Superintendent and the immediate priorities among their responsibilities.
3. Provide excellence in administrative leadership of the school district.
4. Develop a respectful and productive working relationship between the School Committee and Superintendent.

The School Committee and Superintendent will periodically develop a set of goals based on the needs of the school district and in keeping with state regulations for evaluation of the Superintendent. The Superintendent's performance will be reviewed in accordance with specified goals and standards according to the evaluation cycle agreed upon with the Superintendent.

The Superintendent Evaluation Subcommittee will manage the process of evaluating the Superintendent. This process should include the following elements:

1. Creating an evaluation form that uses both the DESE-designated Focus Areas, and the previous year's Superintendent Goals as a framework. A basic form is provided by DESE; the Subcommittee is responsible for any modifications to the form to ensure that the process is evaluating areas of performance unique to the Newburyport School District, (e.g., progress on the strategic plan).
2. Setting up a secure format for gathering the evaluative responses by School Committee members, compiling responses, compiling all comments, and providing the School Committee with both a statistical summary of the evaluation and an Executive Summary that includes all comments offered by the School Committee as part of the evaluation.

All School Committee discussion and deliberation related to the Superintendent's performance evaluation shall be conducted in open session in accordance with the Open Meeting Law.

LEGAL REF: M.G.L. 30A:18-25  
603CMR35:00

**Adopted: November 21, 2016**

**Revised: June 5, 2023**

**UPDATED POLICY**

**CCB: STAFF RELATIONS**

The School Committee expects the Superintendent to establish clear understandings on the part of all personnel of the working relationships in the school system.

Personnel will be expected to refer matters requiring administrative action to the administrator to whom they are responsible. The administrator will refer such matters to the next higher administrative authority when necessary.

It is expected that the established lines of authority will serve most purposes. But all personnel will have the right to appeal any decision made by an administrative officer through established grievance procedures.

Additionally, lines of authority do not restrict in any way the cooperative, sensible working together of all staff members at all levels in order to develop the best possible school programs and services. The established lines of authority represent direction of authority and responsibility; when the staff is working together, the lines represent avenues for a two-way flow of ideas to improve the program and operations of the school system.

**Adopted: November 21, 2016**

**Revised: May 15, 2023**

**UPDATED POLICY**

**CE: ADMINISTRATIVE COUNCILS AND AD HOC COMMITTEES**

The Superintendent may establish such permanent or temporary councils and *ad hoc* committees as they deems necessary for assuring staff participation in decision making, for implementing policies and regulations and for the improvement of the educational program.

Functioning in an advisory capacity, all councils and committees created by the Superintendent may make recommendations for submission to the School Committee through the Superintendent. Such groups will exercise no inherent authority. Authority for establishing policy remains with the School Committee and authority for implementing policy remains with the Superintendent.

The membership, composition and responsibilities of administrative councils, and ad hoc committees will be defined by the Superintendent and may be changed at their discretion. However, the School Committee requests to be kept informed of the establishment and dissolution of these groups as well as their membership and their purpose.

Expenses incurred by such groups for consultative services, materials, and any investigative travel will be paid by the school system, but only within budgetary allotments and when approved in advance by the Superintendent.

**Adopted: November 21, 2016**

**Revised: May 15, 2023**

## POLICY IMPLEMENTATION

Section C: General School Administration	File: CH
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The Superintendent has responsibility for carrying out, through regulations, the policies established by the School Committee.

The policies developed by the School Committee and the regulations developed to implement policy are designed to increase the effectiveness and efficiency of the school system. Consequently, it is expected that all School employees and students will carry them out.

Administrators and supervisors are responsible for informing staff members in their schools, departments, or divisions of existing policies and regulations and for seeing that they are implemented in the spirit intended.

When action must be taken within the school system where the School Committee has provided no guidelines for administrative action, the Superintendent will have the power to act. The Superintendent's decisions, however, will be subject to review by the School Committee.

### References:

Source: MASC

### Version Control

Action	Date
First Reading	11/7/2016
Second Reading	11/21/2016
Adopted	11/21/2016

CHA: [DELETED – REPLACED WITH CHA/CHC]

CHC: [DELETED – REPLACED WITH CHA/CHC]

**NEW POLICY (Replace CHA and CHC)**

**CHA/CHC: DEVELOPMENT AND DISSEMINATION OF PROCEDURES**

The Superintendent will be responsible for specifying required actions and designing the detailed arrangements under which the school district will be operated in accordance with School Committee policy. These detailed arrangements will be designed to implement policies, goals, and objectives of the Committee and will be one of the means by which the school district will be governed.

In the development of procedures, the Superintendent may involve at the planning stage those who would be affected by the procedures, including staff members, students, parents/guardians, and the public. They must weigh with care the counsel given by representatives of staff, student, and community organizations. They will inform the Committee of such counsel in presenting pertinent reports of procedures and in presenting procedures for Committee approval.

As long as the Superintendent operates within the guidelines of policy adopted by the Committee, they may issue procedures without prior Committee approval unless Committee action is required by law; or the Committee has specifically asked that certain types of procedures be given Committee approval; or the Superintendent recommends Committee approval in light of strong community attitudes or probable staff reactions.

It will be the responsibility of the Superintendent to see that the procedures developed to implement Committee policies and administer the school district are appropriately coded and included as procedures in the School Committee's policy manual.

A procedure concerning a particular group or groups in the schools will be distributed to the group(s) prior to the effective date of the procedure.

CROSS REF.: BDG, School Attorney

**Adopted: May 15, 2023**



**UPDATED POLICY**

**CHCA: APPROVAL OF HANDBOOKS AND DIRECTIVES**

The Principal, in consultation with the school council, shall prepare and distribute to each student a handbook setting forth the rules pertaining to conduct of students. The school council shall review the handbook each spring to consider changes in the disciplinary policy to take effect at the beginning of the next school year.

It is essential that the contents of all handbooks conform to School Committee policies. It is also important that all handbooks bearing the name of the school district or one of its schools be of a quality that reflects credit on the school department. Therefore, the Committee expects handbooks requiring approval to be approved prior to publication by the Committee and/or the Superintendent.

Committee approval will be necessary for any handbooks that pertain to required standards of conduct for employees or students so that their contents may be accorded the status of Committee-approved policy or regulation. The Superintendent will use their judgment as to whether other specific handbooks need Committee approval; however, all handbooks published will be made available to the Committee for informational purposes.

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

CROSS REF.: BGD, School Committee Review of Procedures

**Adopted: November 21, 2016**

**Revised: May 15, 2023**

CL: [DELETED]

**UPDATED POLICY**

CM: SCHOOL DISTRICT ANNUAL REPORT

An annual report covering the diversified activities of the school system and the administration's recommendations for their improvement will be prepared by the Superintendent and presented to the School Committee, ideally to provide context for our annual budget. Upon Committee approval, the report will be made available to the public and used as one means for informing the parents/guardians, citizens, and others of the programs and conditions of the City's public schools. This report on the Status of our schools is different from the reports we are required to submit to DESE/ Commissioner of Education

LEGAL REFS.: M.G.L. 72:4  
City Charter

**Adopted: November 21, 2016**  
**Revised: May 15, 2023**

# Section D: Fiscal Management

DA: FISCAL MANAGEMENT GOALS

DB: ANNUAL BUDGET

DBC: Budget Deadlines and Schedules

DBD: BUDGET PLANNING

DBG: BUDGET ADOPTION PROCEDURES

DBH: [DELETED]

DBJ: Budget Transfer Authority

DD: GRANTS, PROPOSALS, AND SPECIAL PROJECTS

DEC: FEDERAL FUNDS SUPPLEMENT NOT SUPPLANT POLICY

DGA: Authorized Signatures

DH: BONDED EMPLOYEES AND OFFICERS

DI: FISCAL ACCOUNTING AND REPORTING

DIE: AUDITS

DJ: PURCHASING

DJA: PURCHASING AUTHORITY

DJE: Bidding Requirements

DJG: [DELETED]

DK: Payment Procedures

DKC: Expense Reimbursements

## DA: FISCAL MANAGEMENT GOALS

The quantity and quality of learning programs are directly dependent on the effective, efficient management of allocated funds. It follows that achievement of the school system's purposes can best be achieved through excellent fiscal management.

As trustee of local, state, and federal funds allocated for use in public education, the School Committee will fulfill its responsibility to see that these funds are used wisely for achievement of the purposes to which they are allocated.

Because of resource limitations, there is sometimes a temptation to operate so that fiscal concerns overshadow the educational program. Recognizing this, it is essential that the school system take specific action to make sure education remains central and that fiscal matters need to be developed in partnership with the Mayor and City Council to contribute to the educational program. This concept will be incorporated into School Committee operations and into all aspects of school system management and operation.

In the school system's fiscal management, it is the Committee's intent to:

1. Engage in thorough advance planning, with staff and community involvement, in order to develop budgets and to guide expenditures so as to achieve the greatest educational returns and the greatest contributions to the educational program in relation to dollars expended.
2. Develop and monitor long-range projections for the purposes of aligning financial resources with the priorities of the Strategic Plan.
3. Establish levels of funding that will provide high quality education for the students.
4. To advocate for levels of funding that will provide high quality education for all students
5. Use the best practices for budget development and fiscal management.
6. Provide timely and accurate information to all staff with fiscal management responsibilities.
7. To provide timely and appropriate information to the community

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

## DB: ANNUAL BUDGET

The annual budget is the financial expression of the educational program of the school department, and it mirrors the mission, vision, strategic goals and regulatory requirements involved with the district activities.

The budget is more than just a financial instrument and requires an orderly and cooperative effort on the part of the Committee, the staff, and the community in order to ensure sound fiscal practices while achieving the educational goals and objectives of the school system.

Public school budgeting is regulated and controlled by legislation, state regulations, City Charter, and local School Committee policy. The operating budget for the school district will be prepared and managed in line with the above.

In developing a budget, care shall be taken to make all presentations and documents associated with the budget clear and accessible to the members of the School Committee, to the municipal officials, and to the general public.

The budget shall be in compliance with the foundation budget. It is acknowledged that the foundation budget reflects the minimum recommended spending for a District, and excludes transportation costs, debt service costs, and costs associated with the acquisition of fixed assets. The aforementioned items, and other items that are not adequately covered, must, therefore, be budgeted in addition to the foundation budget, and funds to support those expenditures must be raised from the community, after the use of any offsetting revenues received from the state.

The Superintendent will serve as budget officer but may delegate portions of this responsibility to members of their staff, as they deem appropriate. The three general areas of responsibility for the Superintendent as budget officer are budget preparation, budget presentation, and budget administration.

A budget is a spending plan, which is developed well in advance of the fiscal year.

Circumstances may occur which necessitate changing spending priorities and redirecting funds within the budget accordingly. Revisions to the budget may be made from time to time by the Committee, upon the recommendation of the Superintendent.

Annual budgets for each school operated by the District shall be developed with input from the School Council and shall reflect the priorities established in the annual school improvement plan.

LEGAL REFS.: M.G.L. 71:34; 71:37 and 71:38N

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

## BUDGET DEADLINES AND SCHEDULES

Section D: Fiscal Management	File: DBC
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Preparation of the annual budget will be scheduled in stages throughout the school year with attention to certain deadlines established by law and charter.

The school budget, as adopted by the School Committee shall be submitted to the Mayor at least 10 days before the submission of the proposed operating budget to the City Council. The Mayor shall notify the School Committee of the date by which the proposed budget of the School Committee shall be submitted to the Mayor. The Mayor and the Superintendent of Schools shall coordinate the dates and times of the School Committee's budget process under the General Laws, the City Charter and the City's Fiscal Policies and Procedures.

### The School Budget Process

The purpose of the school budget development process is to estimate the funds required to operate the school department's educational and support programs for the coming year. Budget development begins with the formulation and distribution of individual school and department budget preparation materials and the synthesis of these into the annual Superintendent's Recommended Budget.

The School Committee and Administration engage in an annual strategic planning process that begins in June of each year. The Budget Plan is a three-year strategy encompassing every facet of school administration. The annual Superintendent's Goals prioritize the elements of this strategy to be addressed during the coming year. A review of the district's Strategic Plan and the Superintendent's Goals reveals achievements to date, ongoing priorities, and goals yet to be initiated. The Superintendent works with the Leadership Team, Curriculum Leaders and Faculty to update both documents for the coming year. In October, the School Committee approves these plans that are essential to inform the development of the School budget.

SOURCE: MASC/ City Charter

LEGAL REFS.: M.G.L. [71:38N](#)

City of Newburyport Charter Article 6 section 3

### Version Control

Action	Date
First Reading	1/3/2017
Second Reading	2/6/2017
Adopted	

## DBD: BUDGET PLANNING

A sound budget development process must be established to ensure that the annual operating budget accurately reflects the District's goals. The budget is a financial planning tool that grounds itself in careful analysis of student achievement, enrollment, mandated services, and community values to allocate resources towards the goals set by the Committee. The first priority in the development of an annual budget will be the educational welfare of the children in our schools.

The Committee also holds in balance the valid interest of the taxpayers.

The budget document shall reflect all sources of revenue. It shall clearly explain how those funds will be used.

In the budget planning process for the school district, the Superintendent will:

1. Engage in thorough advance planning, with staff and community involvement, in order to develop budgets and guide expenditures in a manner that will achieve the greatest educational returns and contributions to the educational program in relation to dollars expended.
2. Establish levels of funding that will provide high quality education for all students.
3. Use the best available techniques for budget development and management.

The Superintendent will have overall responsibility for budget preparation, including the construction of, and adherence to, a budget calendar which will be shared publicly with the community. Such calendar will take into consideration the requirement that School Councils are to be consulted in developing school budgets.

**Adopted: February 6, 2017**

**Revised: October 2, 2023**



## DBG: BUDGET ADOPTION PROCEDURES

The district budget is adopted by the School Committee at the cost center level. Cost centers should represent appropriate levels of transparency to support the Committee's role in overseeing goal implementation but still allowing for the daily work of the District to be the responsibility of the administration. Cost centers will be agreed upon by the Committee and administration.

All revenue sources are subject to adoption by the School Committee. The budget is adopted by a simple majority.

Upon approval by the School Committee, and inclusion in the Mayor's annual budget, the City Council shall adopt the proposed operating budget, with or without amendments, within 45 days following the date the proposed budget is filed with the city clerk. In amending the proposed operating budget, the City Council may delete or decrease any amounts except expenditures required by law, but except on the recommendation of the mayor, the City Council shall not increase any item in or the total of the proposed operating budget, unless otherwise authorized by the general laws. If the City Council fails to take action on any item in the proposed operating budget within 45 days after its receipt, that amount shall, without any action by the City Council, become a part of the appropriations for the year, and be available for the purposes specified.

In addition to any other posting requirement under law, immediately after the submission of its approved school budget to the mayor, the School Committee shall cause it to be posted on the school department website. Said budget document shall remain posted there during the review process. The final school budget as enacted shall be posted on the school department's website and shall remain there at least throughout the fiscal year for which it is in effect. Said budget document shall specify any revisions made to reflect any action by the City Council and the mayor and it shall indicate that it is the final budget of the school department.

LEGAL REFS.:       M.G.L. 71:34  
                          City of Newburyport City Charter

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

DBH: [DELETED]

## BUDGET TRANSFER AUTHORITY

Section D: Fiscal Management

File: DBJ

In keeping with the need for periodic reconciliation of the school department's budget, the School Committee will consider and approve requests for transfers of funds within the school budget upon the recommendation of the Superintendent. From time to time, a transfer may be required prior to the option for School Committee action; in such cases, the Finance Sub-committee may approve the transfers, but report such action to the School Committee at their next regular meeting.

All funds in the general account (Local Education Agency budget) not expended by the close of the fiscal year will be returned to the City of Newburyport. Funds in revolving accounts will be available for use by the school district in the next fiscal year as allowed by law.

### References:

Source: MASC

LEGAL REF.: MGL [71:16B1/2](#)

### Version Control

Action	Date
First Reading	1/3/2017
Second Reading	2/6/2017
Adopted	

## DD: GRANTS, PROPOSALS, AND SPECIAL PROJECTS

In accordance with state law, all grants and gifts to the District must be reviewed and accepted by the School Committee before expenditure. The School Committee will encourage the administration to seek and secure possible sources of state, federal, and other special funds that will enhance the educational opportunities for the children in alignment with district goals. The superintendent will submit for School Committee approval spending plans at the same cost center level as the district budget.

The Superintendent will be responsible for coordinating the development of proposals for all specially funded projects and for keeping the Committee apprised and updated on all such projects.

The Superintendent will ensure the district has and follows a written set of procedures in grant administration that aligns with state and federal laws and regulations.

LEGAL REF.: M.G.L. 44:53A; 71:37A

2 CFR 200 Federal Uniform Administrative Requirements

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

## DEC: FEDERAL FUNDS SUPPLEMENT NOT SUPPLANT POLICY

The Newburyport School District is committed to utilizing federal grant funds to supplement instructional programs funded by local, state, and other sources as required by law and regulation. Federal funds will be used to complement and extend district-funded programs, not to take the place of (supplant) programs previously funded by the district, except as provided by the granting program.

The Superintendent or designee will ensure that federal grant funds are disbursed appropriately and that associated record-keeping and reporting complies with required guidelines and mandates.

LEGAL REF: Elementary and Secondary Education Act, as amended

**Adopted: October 2, 2023**

## AUTHORIZED SIGNATURES

<b>Section D: Fiscal Management</b>	<b>File: DGA</b>
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The School Committee is responsible for approving warrants instructing the City treasurer to make payments on behalf of the school. Warrants require the signature of the Finance Subcommittee Chair or School Committee Chair appointed designee.

The City of Newburyport treasurer, who also serves as the school department treasurer, signs all checks drawn against school department funds. No other signature is valid.

### References:

SOURCE: City Financial Policy

LEGAL REF.: M.G.L. [41:41](#); [41:52](#)

### Version Control

Action	Date
First Reading	1/3/2017
Second Reading	2/6/2017
Adopted	2/6/2017
<b>Revised</b>	12-20-2021

## DH: BONDED EMPLOYEES AND OFFICERS

Each employee of the school system who is assigned the responsibility of receiving and dispensing school funds will be bonded individually or covered by a blanket bond. The City of Newburyport will pay the cost of the bond.

LEGAL REF.: M.G.L. 40:5, 41:109A; 71:47

CROSS REFS: DI Fiscal Accounting and Reporting  
JJF Student Activity Funds

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

## DI: FISCAL ACCOUNTING AND REPORTING

The Superintendent is responsible for receiving and properly accounting for all funds of the school system.

The accounting system used will conform to state requirements and with good accounting practices, providing for the appropriate separation of accounts, funds, and special monies.

The School Committee will receive periodic financial statements from the Superintendent showing the financial condition of the school department. Such other financial statements as may be determined necessary by either the Committee or the administration will be presented as necessary or requested.

LEGAL REF.:       MGL Ch. 44:38  
                      603 CMR 10:00  
                      2 CFR 200.303

**Adopted: February 6, 2017**  
**Revised: October 2, 2023**



## DIE: AUDITS

An audit of the school department's accounts shall be conducted annually by external auditors within nine months of the close of the fiscal year. This review shall be conducted in accordance with the generally accepted accounting principles and the Government Auditing Standards issued by the U. S. Comptroller General.

Upon completion of the external audit, the superintendent will share the resulting documentation with the Committee. The Committee will consider the recommendations made by the auditor for maintaining an efficient system for recording and safeguarding the school department's assets.

Additionally, the district is also subject to the following:

- End of Year Financial Compliance Report: Every Massachusetts school district must submit the results of this report to the Department. This End of Year report must be submitted to the Department on or before September 30 each year.
- Government Accounting Standards Board 34: The District is covered in these government financial statements of revenue and expenditures of the municipality.
- Federal grant audits: As a district that spends about thresholds required, the district is subject to the Single Audit Act.
- Student Activity Account: As required by state law, student activity accounts are audited annually. For accounts that exceed \$25,000, the School Committee shall consider an audit conducted by an outside firm every three years.

The Committee may request an additional audit of the school district's accounts at its discretion.

LEGAL REF: M.G.L. 44:38-40; 71:47; 72:3

CROSS REFS: DI, Fiscal Accounting and Reporting  
JJF, Student Activity Accounts

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

## DJ: PURCHASING

It shall be the responsibility of the Superintendent:

- To procure materials, supplies, equipment, and services at the lowest possible cost consistent with the quality necessary for the proper operation of the District, thereby attaining the maximum value for each public dollar spent;
- To maintain the District's reputation for fairness and integrity and to promote impartial and equal treatment to all who wish to conduct business with the District;
- To encourage a mutually cooperative relationship with requesting departments, recognizing that successful purchasing is a result of team planning and effort;
- To promote social and economic goals such as encouraging local, small, minority, and women-owned businesses to participate in bidding for District purchases.

The acquisition of materials, equipment, and services will be centralized in the Superintendent's office of the school district.

The Superintendent will designate the District's purchasing agent. They will develop and administer the purchasing program for the schools in keeping with legal requirements and within the adopted school budget.

School purchases will be made only on official purchase orders approved for issuance by the appropriate unit head and signed by the Superintendent or designee, with such exceptions as may be made by the latter for emergency purchases.

LEGAL REF.: M.G.L. 30B; 71:49A

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

## DJA: PURCHASING AUTHORITY

Authority for the purchase of materials, equipment, supplies, and services is extended to the Superintendent through cost-center appropriation as part of the District budget process.

The purchase of items and services within the cost-center appropriation requires no further Committee approval except when by law or by Committee policy.

LEGAL REFS.: M.G.L. 30B

CROSS REF.: DJE, Bidding Requirements

**Adopted: February 6, 2017**

**Revised: October 2, 2023**

## BIDDING REQUIREMENTS

Section D: Fiscal Management

File: DJE

All purchases of materials and equipment and all contracts for construction or maintenance in amounts exceeding \$50,000 will be based upon competitive bidding.

An effort will be made to procure multiple bids for all purchases in excess of \$50,000. When recommending acceptance of a bid, the Superintendent will inform the School Committee, whenever possible, of the competitive price of a reasonable substitute for the item specified.

When bidding procedures are used, bids will be advertised appropriately. Suppliers will be invited to have their names placed on mailing lists to receive invitations to bid. When specifications are prepared, they will be mailed to all merchants and firms who have indicated an interest in bidding.

All bids will be submitted in sealed envelopes, addressed to the Superintendent and plainly marked with the name of the bid and the time of the bid opening. Bids will be opened in public at the time specified, and all bidders will be invited to be present.

The Committee reserves the right to reject any or all bids and to accept the bid that appears to be in the best interest of the school system. The Committee reserves the right to waive any informality in, or reject, any or all bids or any part of any bid. Any bid may be withdrawn prior to the scheduled time for the opening of the bids. Any bid received after the time and date specified will not be considered. All bids will remain firm for a period of 30 days after opening.

The bidder to whom an award is made may be required to enter into a written contract with the school system; this notwithstanding, all purchases in excess of \$10,000 require a written contract.

### References:

SOURCE: MASC October 2014

LEGAL REF.: M.G.L. [7:22A](#); [7:22B](#); [30B](#)

CROSS REF.: [DJA](#), Purchasing Authority

### Version Control

Action	Date
First Reading	1/3/2017
Second Reading	2/6/2017
Adopted	

DJG: [DELETED]

## PAYMENT PROCEDURES

Section D: Fiscal Management	File: DK
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All claims for payment from school department funds will be processed in accordance with regulations developed by the City of Newburyport. Payment will be authorized against invoices properly supported by approved purchase orders, with properly submitted vouchers, or in accordance with salaries and salary schedules approved by the School Committee.

As an operating procedure, the Committee will receive monthly lists of bills for payment from school department funds. The lists will be certified as correct and approved for payment by the School Committee and then forwarded to the City Auditor for processing and subsequent payment by the City Treasurer. Actual invoices, statements, and warrants will be available for inspection by the School Committee.

The Superintendent will be responsible for assuring that budget allocations are observed and that total expenditures do not exceed the amount allocated in the budget for all items.

The school building administrators will be responsible for observing budget allocations in their respective schools.

### References:

SOURCE: MASC

LEGAL REF.: M.G.L. [41:41](#); [41:52](#) [41:56](#)

### Version Control

Action	Date
First Reading	1/3/2017
Second Reading	2/6/2017
Adopted	

## EXPENSE REIMBURSEMENTS

Section D: Fiscal Management

File: DKC

Personnel and school department officials who incur expenses in carrying out their authorized duties will be reimbursed by the school department upon submission of a properly completed and approved voucher and supporting receipts required by the Superintendent.

When official travel by a personally owned vehicle is authorized, mileage payment will generally be made at the rate currently approved by the IRS. However, a monthly travel stipend, in an amount established by the Committee, will be paid to the Superintendent, Assistant Superintendent, Business Manager, and others authorized by the Committee who are required to travel regularly within the school system on official business.

To the extent budgeted for such purposes in the school budget, approval of travel requests will be as follows:

1. Travel by School Committee members must have prior approval of the School Committee.
2. Any travel request with estimated expenditures of more than \$2000 must be approved in advance by the Committee. Travel requests for less than \$2000 may be approved by the Superintendent.
3. Each individual request will be judged on the basis of its benefit to the school system.

### References:

SOURCE: MASC

LEGAL REF.: M.G.L. [40:5](#); [44:58](#)

### Version Control

Action	Date
First Reading	1/3/2017
Second Reading	2/6/2017
Adopted	

# Section E: Support Services

EB: SAFETY PROGRAM

EBAB: Pest Management

EBB: FIRST AID

EBC: EMERGENCY PLANS

EBCD: EMERGENCY CLOSINGS

EBCFA: [DELETED]

EC: Buildings and Grounds Management

ECA: Buildings and Grounds Security

ECAC: VANDALISM

ECAF: SECURITY CAMERAS IN SCHOOLS

EDC: AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

EEA: STUDENT TRANSPORTATION SERVICES

EEAA: Walkers and Riders

EEAE: SCHOOL BUS SAFETY PROGRAM

EEAEA: BUS DRIVER EXAMINATION AND TRAINING

EEAE-B: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS AND COMMERCIAL VEHICLE DRIVERS

EEAEC: STUDENT CONDUCT ON SCHOOL BUSES

EEAG: Student Transportation in Private Vehicles

EEAJ: Motor Vehicle Idling on School Grounds

EFC: FREE AND REDUCED PRICE FOOD SERVICES

EFD: Meal Charge



## EB: SAFETY PROGRAM

Accidents are undesirable, unplanned occurrences that can result in tragic consequences. The School Committee will guard against such occurrences by taking precautions to protect the safety of all students, employees, visitors and others present on school property or at school-sponsored events.

Newburyport Schools will comply with safety requirements established by governmental authorities and will insist that its staff adhere to recommended safety practices as these pertain, for example, to the school plant, special areas of instruction, student transportation, school sports and occupational safety. The practice of safety will also be considered a facet of the instructional program of the schools. Instruction will include accident prevention as well as fire prevention; emergency procedures; traffic, bicycle, and pedestrian safety.

The Superintendent will have overall responsibility for the safety program of the school system. It will be the responsibility of the Superintendent to see that appropriate staff members are kept informed of current state and local requirements relating to fire prevention, civil defense, sanitation, public health, and occupational safety.

Efforts directed toward the prevention of accidents will succeed only to the degree that all staff members recognize that preventing accidents is a daily operational responsibility.

LEGAL REFS.:       M.G.L. 71:55C  
                          603 CMR 36:00

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

# PEST MANAGEMENT

## Section E: Support Services

File: EBAB

The Newburyport Public Schools are committed to providing a safe and properly maintained environment for all staff, students and visitors. To achieve this end, the School District will implement integrated pest management procedures for its buildings and grounds.

The integrated pest management procedures shall include implementation of appropriate prevention and control strategies, notification of certain pesticide and herbicide uses, record keeping, education and evaluation.

Integrated pest management procedures will determine when to control pests and what method of control to choose. Strategies for managing pest populations will be influenced by the pest species, location and whether and at what population level its presence poses a threat to people, property or the environment. The full range of action alternatives, including no action, will always be considered.

### I. OVERVIEW AND GOALS

- A. The Director of Facilities shall develop and implement an integrated pest management program.
- B. An integrated pest management program is a pest control approach that emphasizes using a balanced combination of tactics (cultural, mechanical, biological, chemical) to reduce pests to a tolerable level while using pesticides and herbicides as a last resort to minimize health, environmental and economic risks.
- C. Pesticides and herbicides will be used only as a last resort, based on a review of all other available options.
- D. The integrated pest management program shall strive to:
  - 1. Reduce any potential human health hazard.
  - 2. Reduce loss or damage to school structures or property.
  - 3. Minimize the risk of pests from spreading in the community.
  - 4. Enhance the quality of facility use for school and community.
  - 5. Minimize health, environmental and economic risks.

### II. RESTRICTIONS ON USE OF PESTICIDES AND HERBICIDES

- A. When pesticides or herbicides are used, they must be classified as an EPA Category III or IV. Application of any pesticide or herbicide may be performed only by certified applicators.
- B. Application of pesticides and herbicides may only be accomplished during a school break or when the building will be clear of students for at least 48 hours, except in the case of an imminent threat to health and safety of staff and students (i.e. swarming bees).

### III. NOTIFICATION OF PESTICIDE AND HERBICIDE USE

- A. When pesticides or herbicides are used outdoors, notice of their use will be provided to parent/guardians, staff and students and will also be posted in a common area.
- B. When pesticides and herbicides are used in a building, except in the case of an imminent threat to health and safety of staff and students (i.e. swarming bees), the site will provide a 48-hour pre-notification in the form of posting the product

name, purpose, application date, time and method and the Material Safety Data Sheet on all entrance doors. A contact person will also be listed.

C. In the event of an EPA registered pesticide or herbicide application in or around a building site during the school year or summer session, a notice (including the product name, purpose, contact person, and application date, time and method), will be sent home in writing with students in the affected building at least 5 days prior to application.

#### IV. RECORD-KEEPING

A. The District will keep a record of pesticides and herbicides used, amounts and locations of treatments and will keep any Material Safety Data Sheets, product labels and manufacturer information on ingredients related to the application of the pesticides or herbicides.

B. All records of pesticides and herbicides used and correspondence will be available for public review upon notice and during normal school hours.

#### V. STAFF RESPONSIBILITIES AND EDUCATION

A. Designated staff (School Nutrition, Buildings and Grounds, etc.) will participate in sanitation and pest exclusion procedure appropriate to their roles. For example: keeping doors closed, repairing cracks, removing food waste within 12 hours, keeping lids on garbage receptacles and keeping vegetation properly cut.

B. Ongoing education of all appropriate District staff will be a priority to ensure a safe and clean environment.

C. Personal food in classrooms and offices shall be minimized, kept in properly sealed plastic containers and removed at each of the school vacation breaks to assure that unnecessary food does not remain on the premises.

SOURCE: MASC

LEGAL REF.: M.G.L. [71:68](#); [132B](#)

#### Version Control

Action	Date
First Reading	2/5/2018
Second Reading	2/27/2018
Adopted	2/27/2018

## EBB: FIRST AID

The district attempts to provide a safe environment. If an accident or sudden illness occurs, school personnel will administer first aid and, if warranted, call emergency medical services. In the case of illness that may include an infectious disease the Board of Health and school physician shall be notified in accordance with law.

First aid is defined as the immediate and temporary care given in case of an accident or sudden illness, which enables the student to be taken safely home or to a physician. It does not include diagnosis or treatment. Any care beyond first aid will not be given.

At each school, procedures will be maintained for the proper handling of an injury to, or sudden illness of, a student or staff member. These will be made known to the staff and will incorporate the following requirements:

1. The school nurse or another trained person will be responsible for administering first aid.
2. When the nature of an illness or an injury appears in any way serious, every effort will be made to contact the parent/guardian and/or family physician immediately.
3. In extreme emergencies, the school nurse, school physician or Principal may make arrangements for immediate transport to a hospital of injured or ill students, contacting parent or guardian in advance if at all possible.
4. The teacher or other staff member to whom a student is responsible at the time an accident occurs will make out a report on an official form providing details about the accident. This will be required for every accident for which first aid is given.
5. All accidents to students and staff members will be reported as soon as possible to the Superintendent and, if the Superintendent deems appropriate, to the School Committee.

LEGAL REFS.: M.G.L. 71:55A; 71:56

CROSS REF.: JLC, Student Health Services and Requirements

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## EBC: EMERGENCY PLANS

Advance planning for emergencies and disasters is essential to provide for the safety of students and staff; it also strengthens the morale of all concerned to know that plans exist and that students and staff have been trained in carrying out the plans.

The Superintendent will develop and maintain plans that meet the requirements of state law for preparedness in case of fire, civil emergencies, and natural disasters.

The Superintendent shall develop, in consultation with school nurses, school physicians, athletic coaches, trainers, and local police, fire and emergency personnel, an Emergency Medical Response Plan for each school in the district. Each Plan shall include:

1. A method establishing a rapid communications system linking all parts of each school's campus, including outdoor facilities, to local Emergency Medical Services along with protocols to clarify when EMS and other emergency contacts will be called.
2. A determination of EMS response times to any location in the schools.
3. A list of relevant contacts with telephone numbers and a protocol indicating when each person shall be called, including names of experts to help with post-event support.
4. A method to efficiently direct EMS personnel to any location in the schools, including the location of available rescue equipment.
5. Safety precautions to prevent injuries in classrooms and on the school campus.
6. A method of providing access to training in CPR and first aid for teachers, athletic coaches, trainers, and other school staff which may include CPR training for High School students.
7. The location of all available Automated External Defibrillators (AEDs), whether the location is fixed or portable, and a list of personnel trained in its use.
8. Initial and yearly refresher training for all staff covering Emergency management protocols.

The Superintendent shall annually review the response sequence with local police and fire officials. Plans shall be submitted to local police and fire officials and the DESE at least every 3 years by September 1 or when changes occur. Plans must be updated in the case of new construction or other physical changes to the school campus.

Building Principals will meet all requirements for conducting fire drills and Emergency Response drills (at least once per year) to give students practice in moving with orderly dispatch to designated areas under emergency conditions, and the staff practice in carrying out their assigned responsibilities for building evacuation.

CROSS REFS.:       EBCD, Emergency Closings  
                          JL, Student Welfare  
                          JLC, Student Health Services and Requirements

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## EBCD: EMERGENCY CLOSINGS

The Superintendent may close the schools or dismiss them early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour or to dismiss students early, the Superintendent has the responsibility to see that as much of the administrative, supervisory and operational activity is continued as may be possible. Therefore, if conditions affect only a single school, only that school will be closed.

In making the decision to close schools, the Superintendent will consider many factors, including the following principle ones relating to the fundamental concern for the safety and health of the students:

1. Weather conditions, both existing and predicted.
2. Driving, traffic, and parking conditions affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent will weigh these factors and take action to close the schools only after consultation with public works and public safety authorities and with school officials from neighboring towns. Students, parents/guardians and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closings. When schools are closed for emergency reasons, staff members will comply with School Committee policy in reporting for work.

LEGAL REFS.: M.G.L. 71:4; 71:4A

**Adopted: October 2, 2023**

EBCFA: [DELETED]



# BUILDINGS AND GROUNDS MANAGEMENT

Section E: Support Services

File: EC

The School Committee's most important function is to provide for the education of children, and it recognizes that the education of children is dependent upon many factors, including a proper physical environment that is safe, clean, sanitary, and as comfortable and convenient as the facilities will permit or the use requires.

The supervision over the care and safekeeping of property used by the school department will be the general responsibility of the Director of Facilities. He/she will work with other municipal departments, as necessary, to develop a comprehensive and well-defined plan for the proper maintenance, cleanliness, and safekeeping of all school buildings and grounds to ensure that each school is equally well maintained, equipped, and staffed.

The Superintendent will establish procedures and employ such means as may be necessary to provide accurate information in regard to the nature, condition, location, and value of all property used by the school department; to safeguard the property against loss, damage, or undue depreciation; to recover and restore to usefulness any property that may be lost, stolen or damaged; and to do all things necessary to ensure the proper maintenance, cleanliness, and safekeeping of school property.

The Director of Facilities will be responsible for proper care, maintenance, and cleanliness of buildings, equipment and grounds.

SOURCE: MASC August 2016

LEGAL REF.: M.G.L. [71:68](#)

## Version Control

Action	Date
First Reading	2/5/2018
Second Reading	2/27/2018
Adopted	2/27/2018

## BUILDINGS AND GROUNDS SECURITY

Section E: Support Services

File: ECA

Public school buildings and grounds are one of the greatest investments of the City of Newburyport. It is deemed in the best interest of the school department and City to protect the investment adequately.

Security should mean not only maintenance of a secure (locked) building, but protection from fire hazards and faulty equipment, and safe practices in the use of electrical, plumbing, and heating equipment. The School Committee expects close cooperation with fire and law enforcement departments and with insurance company inspectors.

Access to school buildings and grounds outside of regular school hours will be limited to personnel whose work requires it. An adequate key control system will be established, which will limit access to buildings to authorized personnel and will safeguard against the chance of entrance to buildings by unauthorized persons.

Funds and valuable records will be kept in a safe place and under lock and key.

Protective devices designed to be used as safeguards against illegal entry and vandalism will be installed when appropriate to the individual situation. Employment of security personnel may be approved in situations where special risks are involved.

Buildings shall be equipped with security alarm systems which shall be armed whenever the building is unoccupied. Access control and security camera systems shall monitor and record all access to the buildings 24 hours a day, seven days a week. Funding shall be adequate to maintain all systems in full working order. Maintenance of the systems shall be the responsibility of the Director of Facilities.

SOURCE: MASC August 2016

### Version Control

Action	Date
First Reading	2/5/2018
Second Reading	2/27/2018
Adopted	2/27/2018

## ECAC: VANDALISM

The School Committee recognizes that acts of vandalism committed against public and private property are costly and require positive action through educational programs. Consequently, the School Committee will support various programs aimed at reducing the amount of vandalism.

Every citizen of the city, staff members, students, and members of the police department are urged by the School Committee to cooperate in reporting any incidents of vandalism to property under control of the school department, and the name(s) of the person or persons believed to be responsible. Each employee will report to the Principal of the school every incident of vandalism known to them and, if known, the names of those responsible.

The Superintendent is authorized to sign a criminal complaint and to press ~~the~~ charges against perpetrators of vandalism against school property, and is further authorized to delegate, as they sees fit, authority to sign such complaints and to press charges.

Parents/guardians and students will be made aware of the legal implications involved. Reimbursement will be sought for all or part of any damages.

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## ECAF: SECURITY CAMERAS IN SCHOOLS

The School Committee works to maintain a safe and secure environment for its students, staff, visitors, and facilities. Security means more than having locks and making certain that doors are locked at the proper times. Security also means minimizing fire hazards, reducing the possibility of faulty equipment, keeping records and valuables in a safe place, protection against vandalism and burglary, the prosecution of vandals, and developing crisis plans.

School facilities and their contents, constitute one of the greatest investments of the community. The School Committee believes it to be in the best interest of students and taxpayers for the district to exert every reasonable means to protect the investment adequately.

In pursuit of this objective, the School Committee authorizes the use of security cameras in school district buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism and other negative behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property. Security cameras may be used in locations as deemed appropriate by the Superintendent of Schools in consultation with school officials as well as local law enforcement and emergency response agencies. They may be used in any area, inside or outside of school buildings where there is no reasonable expectation of privacy.

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time. Students or staff identified on security cameras in violation of School Committee policies will be subject to disciplinary action.

The Superintendent shall ensure that proper procedures are in place and are followed regarding use, viewing, disclosure, retention, disposal and security of video recordings or photographs from security cameras in accordance with applicable laws and regulations. A video recording used for security purposes in school district buildings and/or on school property shall be the sole property of the school district. All video recordings will be stored in their original format and secured to avoid tampering and to ensure confidentiality in accordance with applicable laws and regulations. Access to video recordings from security cameras shall be limited to school administrators (Superintendent/designee, School Principal/designee). Law enforcement and emergency response officials shall be granted access to video recordings or the security system as the situation requires.

The Superintendent may, from time to time, issue further guidance that is consistent with current laws and this policy.

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## EDC: AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

The School Committee wishes to be of assistance, whenever possible, to other city departments and community organizations. Therefore, permission to use school equipment may be granted by the Superintendent upon request by responsible parties or organizations.

School equipment may be utilized by staff when the use is related to their school employment, and by students when the equipment is to be used in connection with their studies or extracurricular activities.

Procedures will be established by the Superintendent to assure the user's responsibility for, and return of, all school equipment.

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## EEA: STUDENT TRANSPORTATION SERVICES

The major purpose of the school system's transportation services is to aid students in getting to and from school in an efficient, safe, and economical manner if budgetarily feasible.

The school system will contract for transportation services. The School Committee will award contracts on a competitive bid basis. Bus contractors, 7D contractors and school districts, who will be held responsible for the safe operation of school buses, will comply with all applicable state laws and regulations, including but not limited to:

1. Specifications for school bus design and equipment
2. Inspection of buses
3. Qualifications and examinations of bus drivers
4. Driving regulations
5. Small vehicle requirements, if applicable
6. Insurance coverage
7. Adherence to local regulations and directives as specified in bid contracts

The Superintendent, working with the bus contractor and other appropriate administrators, will be responsible for establishing bus schedules, routes, stops, and all other matters relative to the transportation program.

LEGAL REFS.: M.G.L. 40:5; 71:7A, B and C; 71:37D; 71:48A; 71:68; 71:71A; 71B:4; 71B:5; 71B:8; 74:8A; 76:1; 76:12Bi; 76:14

CROSS REF.: EEAA, Walkers and Riders

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## EEAA: WALKERS and RIDERS

Students will be entitled to transportation to and from school at the expense of the public schools when such transportation conforms to applicable provisions of the Massachusetts General Laws.

Newburyport Schools will provide free transportation for students as follows:

- All students in Kindergarten through grade 6 that live 1.5 or more miles from school
- All students who are eligible for free or reduced lunch
- Students with special needs for whom transportation must be provided

Additionally, the following students are eligible for bus ridership by paying the transportation fees set each year by the School Committee:

- All students in Kindergarten through grade 6 that live less than 1.5 miles from school
- All students in grades 7-12

Exceptions to these guidelines may be made at the discretion of the Superintendent. This will apply particularly to any student who must travel in a hazardous area to and from school.

The School Committee requires that all students who will be using school transportation, regardless of pay-status, register for transportation and receive their bus pass.

The School District will strive to support walking, bicycling, and other forms of active transportation to and from school and will participate in the Massachusetts Safe Routes to School Program.

**First Reading: 12/19/22**

**Second Reading: 1/3/23**

**Adopted: 1/3/23**

## EEAE: SCHOOL BUS SAFETY PROGRAM

The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation. Safety precautions will include the following:

1. Students will be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard.
2. Emergency evacuation drills will be conducted at least twice a year to acquaint student riders with procedures in emergency situations.
3. All vehicles used to transport students will be inspected periodically for conformance with state and federal safety requirements.
4. Classroom instruction on school bus safety will be provided.

LEGAL REFS.: M.G.L. 90:7b as amended by Ch. 246 Acts of 1986  
M.G.L. 90:1 et seq.; 713:2; 713:7L  
Highway Safety Program Standard No. 17  
CROSS REF.: EB, Safety Program

**Adopted: February 27, 2018**  
**Revised: October 2, 2023**



## EEAEA: BUS DRIVER EXAMINATION AND TRAINING

The School Committee will reserve the right to approve or disapprove persons employed by the bus contractor to drive school transportation vehicles.

1. Courteous and careful drivers will be required.
2. Each driver will file with school officials a medical certificate and proof of freedom from tuberculosis.
3. Only persons who are properly licensed by the state and have completed the driver-training program will be permitted to drive school buses.
4. The contractor will furnish the School District with a list of names of drivers and their safety records for the last three years.
5. The contractor will notify school officials as soon as possible of any change of bus drivers.
6. All bus drivers will be subject to a satisfactory CORI and/or background check in accordance with Massachusetts General Laws and School Committee Policy.

LEGAL REFS.: M.G.L. 90:7B; 90:8A; 90:8A ½

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## EEAE-B: DRUG AND ALCOHOL TESTING FOR SCHOOL BUS AND COMMERCIAL VEHICLE DRIVERS

The District shall adhere to federal law and Department of Transportation regulations requiring a drug and alcohol-testing program for school bus drivers and commercial vehicle drivers. Such testing will be conducted for five different situations: pre-employment, randomly, following an accident, following an authorization to return to duty, and upon reasonable suspicion that a driver is under the influence of alcohol or using drugs.

The District will comply with Department of Transportation protocols regarding the collection and testing necessary to establish whether alcohol or drugs are present in the driver's system, and regulations will be established for the steps to be taken in the event that test results are positive.

This program shall comply with the requirements of Federal law and regulations. The Superintendent or designees shall adopt and enact procedures consistent with the federal regulations, defining the circumstances and procedures for testing.

LEGAL REFS.:       49 U.S.C. sec. 2717 et seq. (Omnibus Transportation Employee Testing Act of 1991)  
                          49 C.F.R. Part 40 Procedures for Transportation Workplace and Drug and Alcohol Testing Programs  
                          49C.F.R. Part 382 Controlled Substance and Alcohol Use and Testing  
                          49 C.F.R. Part 391 Qualification of Drivers

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## EEAEC: STUDENT CONDUCT ON SCHOOL BUSES

The School Committee and its staff share with students and parents/guardians the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents/guardians of students whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their students face the loss of transportation privileges in accordance with regulations approved by the School Committee.

CROSS REF.: JICB Student Conduct on School Buses

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## STUDENT TRANSPORTATION IN PRIVATE VEHICLES

Section E: Support Services

File: EEAG

School buses will be used for the transportation of students participating in co-curricular or extracurricular activities. However, when buses are not available, private vehicles may be permitted to transport students to or from school activities that fall within the academic day or extend the school day provided all of the following conditions are met:

1. The activity has the approval of the Superintendent of Schools.
2. The owner of the vehicle being used in transporting students must file evidence with the Superintendent of personal liability insurance coverage on the vehicle in the amounts of \$100,000 - \$300,000 or more.
3. The parents of students to be transported in this manner will be fully informed as to this means of transportation and will sign a statement to this effect.

SOURCE: MASC

### Version Control

Action	Date
First Reading	2/5/2018
Second Reading	2/27/2018
Adopted	2/27/2018

# MOTOR VEHICLE IDLING ON SCHOOL GROUNDS

Section E: Support Services

File: EEAJ

No motor vehicle operator shall cause or allow any motor vehicle operated by him or her on school grounds to idle unnecessarily, except for any of the following reasons: traffic conditions; queuing at a school for the purpose of picking up or discharging students; turbo-charged diesel engine cool down or warm up; maintenance of appropriate temperature for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen minute period or one minute in any fifteen minute period for other motor vehicles; for circumstances involving safety or emergencies and for servicing or repairing motor vehicles; and as these exceptions are more completely described in the below referenced regulations. The term "school grounds" shall mean in, on or within 100 feet of the real property of the school whether or not it is in session, and shall include any athletic field or facility and any playground used for school purposes or functions which is owned by the municipality or school district, regardless of proximity to a school building, as well as any parking lot appurtenant to such school athletic field, facility or playground. Reasonable efforts shall be made by the district to identify by signage all known and actual air intake systems, which may be within 100 feet of an idling motor vehicle. A motor vehicle operator shall not idle a motor within 100 feet of such air intake system, unless the Newburyport School District has determined that alternative locations block traffic, impair student safety or are not cost effective.

The Newburyport School District shall erect and maintain in a conspicuous location on school grounds "NO IDLING" signage as described below. All such signage shall contain appropriate sized font so as to be visible from a distance of 50 feet.

## **NO IDLING**

## **PENALTIES OF \$100 FOR FIRST OFFENSE AND \$500**

## **FOR SECOND AND SUBSEQUENT OFFENSES**

## **M.G.L. C. 90, § 16B AND 540 CMR 27.00**

LEGAL REF.: M.G.L. c. [71:37H](#), c. [90:16B](#) and 540 CMR [27.00](#)

## **Version Control**

Action	Date
First Reading	2/5/2018
Second Reading	2/27/2018
Adopted	2/27/2018

## EFC: FREE AND REDUCED PRICE FOOD SERVICES

The school system will take part in the National School Lunch Program and other food programs that may become available to assure that all students in the schools receive proper nourishment.

In accordance with guidelines for participation in these programs, and in accordance with the wishes of the Committee, no student who a teacher believes is improperly nourished will be denied a free lunch or other food simply because proper application has not been received from their parents or guardians, when there is a charge for school meals.

As required by state and federal regulations, the School Committee approves this policy statement pertaining to eligibility for free milk, free meals, and reduced price meals.

LEGAL REFS.:       National School Lunch Act, as amended (42 USC 1751-1760)  
                          Child Nutrition Act of 1966  
                          P.L. 89-642, 80 Stat. 885, as amended  
                          M.G.L. 15:1G; 15:1L; 69:1C; 71:72

**Adopted: February 27, 2018**

**Revised: October 2, 2023**

## **MEAL CHARGE**

### **PURPOSE/POLICY:**

The purpose of this policy is to establish consistent meal account procedures throughout the district. Unpaid charges place a financial strain on the food service department. The goals of this policy are:

- To treat all students with dignity in the serving line regarding meal accounts
- To support positive situations with district staff, district business policies, students and parent/guardian to the maximum extent possible
- To establish policies that are age appropriate
- To encourage parent/guardian to assume the responsibility of meal payments and to promote self-responsibility of the student
- To establish a consistent district policy regarding charges and collection of charges.

### **SCOPE OF RESPONSIBILITY:**

- The Food Service Department: Responsible for maintaining charge records and notifying the student's parent/guardian with written documentation, negative balance memo.
- The School District: Responsible for assisting the Food Service Department in collecting debts after numerous attempts have failed.
- The Parent/Guardian: Immediate payment

### **PROCEDURE:**

1. Student groups:
  - Elementary students: Grades Pre-K-3, will be allowed to charge meals
    - These meals will include only menu items part of the reimbursable meal and milk, if purchased separately.
    - No student/employee interactions to collect negative balances.
  - Middle School and Upper Elementary School students: Grades 4-8
    - Will be allowed to charge a maximum dollar amount of \$9.00, three meals.
    - No ala carte items may be charged.
  - High School students: will not be allowed to charge any school meal or ala carte items.

### **RECORD KEEPING:**

- For departmental record-keeping the food service department will track notification dates for all negative balance memos sent home and phone calls made.
- If payments have not been collected after these numerous attempts, the food service department will notify the school principals
- After Memorial Day, all charging will be cut off with the exception of grades Pre- K-3:

- Parents/Guardians will be sent a written request for “Payment in Full”.
- If negative balances remain prior to the end of the school year, students may not be allowed to participate in grade level privileges (example: field day, attending graduation, proms, etc.)
- All charges not paid before the end of the school year will be carried forward into the next school year.
- If a financial hardship is suspected, the families may be encouraged to apply for free/reduced meals anytime during the school year.

LEGAL REF.:           M.G.L. 71:55C  
                               603 CMR 36:00

### Version Control

Action	Date
<b>First Reading</b>	5/21/2018
<b>Second Reading</b>	6/18/18
<b>Adopted</b>	6/18/18



# Section F: Facilities Development

FA: FACILITIES DEVELOPMENT GOALS

FCB: Retirement of Facilities

FF: Naming New Facilities

FFA: Memorials

FG: Community Use of School Facilities

## FA: FACILITIES DEVELOPMENT GOALS

The School Committee believes that educational programming is influenced greatly by the environment in which it functions. The development of a quality educational program and of school facilities that help implement that program must go hand in hand.

Therefore, it is the Committee's goal to provide the facilities needed for the number and educational requirements of students in the school system and to provide the kind of facilities that will best support the educational program. To best use local resources, it is the Committee's intent, wherever possible, to partner with the Massachusetts School Building Authority.

Recognizing that school facilities are long-term community investments, the Committee will develop projects that reflect cost-effective designs, are consistent with good engineering practice, and use high quality construction, with attention to current and future technological practices for students, faculty, and school staff. Sites will be chosen to meet the educational need, maximize the use of any available community resources, and minimize any possible adverse education, environmental, social, or economic impacts on the community.

LEGAL REFS.:       M.G.L. 70B  
                          963 CMR 2.00

**Adopted: 11/6/2017**

**Revised: 10/2/23**

## RETIREMENT OF FACILITIES

Section F: Facilities Development

File: FCB

When a school building becomes inadequate by virtue of age, condition, size of site, lack of need, or other overriding limitations, and cannot reasonably and economically be brought up to the current educational standards, the building should be considered for a comprehensive closing study. The Superintendent will recommend to the School Committee, which facilities appear to justify further analysis.

The School Committee may seek both professional advice and the advice of the community in making its recommendations as to the retirement of any school facility. This will permit the public, which originally acquired the property, to benefit from its recycling or retirement.

A closing study will include direct involvement by those neighborhoods considered in the study and will be concerned with all or some of the following factors:

1. Age and current physical condition of the facilities, its operating systems, and program facilities
2. Adequacy of site, location, access, surrounding development, traffic patterns, and other environmental conditions
3. Reassignment of children, including alternative plans according to Committee policy
4. Transportation factors, including numbers of children bused, time, distance, and safety
5. Alternative uses of the building
6. Cost/Savings
  - a. Personnel
  - b. Plant Operation
  - c. Transportation
  - d. Capital Investment
  - e. Alternative Use
7. Continuity of instructional and community programs

SOURCE: MASC

### Version Control

Action	Date
First Reading	10/16/2017
Second Reading	11/6/2017
Adopted	11/6/2017

## NAMING NEW FACILITIES

Section F: Facilities Development	File: FF
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Naming a school facility is an important matter that deserves thoughtful attention. Personal prejudice or favoritism, political pressure, or temporary popularity should not be an influence in choosing a name for a school, a portion of a school, or a portion of school grounds. Whenever possible, the wishes of the community, including parents and students, should be considered in naming school facilities.

The School Committee has the authority to approve the naming and renaming of buildings, structures, and facilities located on school property. The School Committee also has the authority to name subsections of existing structures or facilities, such as classrooms, auditoriums, and gymnasiums. The School Committee may elect to authorize the designation of naming rights for specific portions of our facilities to the Newburyport Education Foundation through advanced approval of a list of naming opportunities to be reviewed annually.

Names and/or wording associated with school facilities shall be consistent with school district policies and promote messages aligned with the mission, vision and goals of the school district. To the extent possible, names and/or wording should be designed not to restrict the use of a space or inhibit changing the function of the space should that become necessary in the future.

When the opportunity to name or dedicate a new school or school related property, structure or facility is forthcoming, an orderly procedure will be communicated at the next available School Committee meeting. The Committee's agendas should clearly reflect the intent to consider, review, and vote on naming opportunities.

Submission of a name for a school space may be made by any resident or by the Superintendent, in writing, and should be made to the School Committee Chair. If a name is being initiated at the local school level, the Principal must take reasonable steps to include the School Council and PTO in the nomination of the name before submission to the School Committee.

The written request should specify the intent of the requestor and the reasons why this particular name would fit the facility. It should offer appropriate background information on the person or organization after which the facility will be named. An offer of a financial contribution to the School District may accompany the naming request, but the School Committee is not obligated to accept or reject a name based upon financial considerations alone. Philanthropic contributions in support of the School District are encouraged by the School Committee. The School Committee may acknowledge generous donors by designating appropriate spaces within the School District's facilities consistent with the level of financial commitment.

Following the submission of a naming request, the School Committee Chair will specify a consideration period that allows for public comment, following which the Committee will deliberate and vote on the name.

### Version Control

Action	Date
First Reading	10/16/17
Second Reading	11/6/2017
Adopted	11/6/2017

## MEMORIALS

Section F: Facilities Development	File: FFA
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The School Committee recognizes that the death of a student, member of the staff, or prominent community member is deeply felt by the school community. As places designed primarily to support learning, school sites should not serve as the main venue for permanent memorials.

Permanent memorials within the schools may be limited in form to perpetual awards or scholarships.

Any permanent memorials in existence before the adoption of this policy can only be removed by a vote of the School Committee.

SOURCE: MASC August 2016

### Version Control

Action	Date
First Reading	10/16/17
Second Reading	11/6/2017
Adopted	11/6/2017

# COMMUNITY USE OF SCHOOL FACILITIES

Section F: Facilities Development

File: FG

1. It is the policy of the School System to encourage the use of school buildings and grounds by responsible Newburyport organizations and individuals for such educational, cultural, recreational, social, civic, philanthropic, and like purposes subject to any regulations which it may establish from time to time.
2. The use of a school facility will not be granted to any person or persons for individual gain, whether financial or other.
3. The School Committee prohibits the use of alcohol in any building or on any school campus.
4. The use of a school facility will not be permitted if such use interferes with a school function or activity.
5. In acting on requests for the use of school facilities, the School System will not discriminate on the basis of race, sex, religion, national origin, or political viewpoint.
6. The Superintendent of Schools has the final authority in defining the classification of a particular group.

School Facilities/Fields rentals are at the discretion of the Superintendent of Schools. Rules and procedures for facilities use are attached and form part of this policy.

SOURCE: School Committee April 2015

## Version Control

Action	Date
Adopted	4/28/2015
Updated	11/2015
Updated	3/11/2017
Updated	6/4/2017
Updated	10/16/2017
Adopted	11/20/2017

## **RULES FOR USE OF NEWBURYPORT PUBLIC SCHOOL FACILITIES**

1. **Application forms to request the use of any school facility, including gymnasium shall be obtained through the Office of the Principal**, at least 14 days prior to event or event series. The Principal shall have the sole discretion to grant permission for the use, or to recommend changes in the request for all non-profit groups or entities. Each building principal may establish additional guidelines related to the uniqueness of his/her building. Renter has discretion to change use of facilities based on weather or other circumstances.
2. The person, persons, or organizations, granted the use of the Public School Facility shall assume full liability for any damage to the building, equipment, or grounds resulting from such use. No scenery, furniture or other fixture shall be attached to any part of the building without the express permission of the School Building Principal.
3. The applicant shall pay the established fee for the use of the Facility. **Checks are payable to “Newburyport Public Schools” and sent, along with the signed agreement to, Bresnahan Elementary School, c/o Office of the Principal, 333 High St., Newburyport, MA 01950; or Nock Middle School, c/o Office of the Principal 70 Low St., Newburyport, MA 01950; or Newburyport High School, c/o Office of the Athletic Director, 241 High St., Newburyport, MA 01950.**
4. **Building Use Forms must be submitted a minimum of 14 days in advance of an event or activity. Any requested changes to an existing reservation must be made a minimum of 72 hours in advance of the event or activity; or in the event of weekend building use, by close of business on the previous Wednesday.**
5. The applicant shall pay for such police, firemen, and custodial service as may be required by the Superintendent of Schools/designee. Payment for such services shall be made directly to the Newburyport Public Schools on the basis of a statement provided by the School Department to the applicant.
6. Custodians shall be provided by the school and shall be assigned in accordance with the provisions of the collective bargaining agreement. We understand that a custodian is required one hour before and event and a minimum of one hour after departure for clean-up. It is also understood that after 6:00 PM two custodians are contractually required to be in the building and if there are no other activities in the building we will be billed for the cost of both custodians. (The Director of Facilities reserves the right to assign additional custodians to work larger events. Every effort will be made to notify the renter in advance if this is necessary.)
7. In no case shall any person other than a regular employee of the School Department, or a person approved by the School Department, be permitted to perform any service connected with the operation of the building or grounds, or any part of its equipment.
8. The applicant shall assume full responsibility for adhering to and enforcing State and Federal laws, as well as compliance with City ordinance regarding the prohibition, possession, and/or use of any alcoholic beverages, any tobacco products, or any firearms in the building, or on the grounds.
9. A permit may be cancelled without notice if its provision or its intent are violated in any manner and the Superintendent of Schools/designee shall be sole judge of such violations.
10. No permit shall be issued for any activity, which would include any display of fireworks or that violate State Fire Code Regulations.
11. No food or beverages are allowed in the auditorium. The use of latex balloons is prohibited in all buildings.

## **RULES FOR USE OF NEWBURYPORT PUBLIC SCHOOL FIELDS**

1. Application forms to request the use of any school field shall be obtained through the office of the Athletic Director, (High School, Nock/Molin, or Bresnahan School), at least 14 days prior to the date of requested event or first date of series of requested events. Availability of such space on dates requested will be confirmed by the Athletic Director's Office. The use of such space will be subject to change based on weather or other circumstances.
2. The person, persons, or organizations, granted the use of the Public School Fields/Gymnasiums shall assume full liability for any damage to the building, equipment, or grounds resulting from such use. No scenery, furniture or other fixture shall be attached to any part of the building without the express permission of the School Building Principal.
3. The applicant shall pay the established fee for the use of the Fields. **Checks are payable to "Newburyport Public Schools" and sent, along with the signed agreement to, Newburyport High School, c/o NHS Athletic Director, 241 High St., Newburyport, MA 01950.**
4. The applicant shall pay for such police, firemen, and custodial service as may be required by the Superintendent of Schools. Payment for such services shall be made directly to the Newburyport Public Schools on the basis of a statement provided by the School Department to the applicant.
5. **Building Use Forms must be submitted a minimum of 14 days in advance of an event or activity. Any requested changes to an existing reservation must be made a minimum of 72 hours in advance of the event or activity; or in the event of weekend building use, by close of business on the previous Wednesday.**
6. Custodians shall be provided by the school and shall be assigned in accordance with the provisions of the collective bargaining agreement. We understand that a custodian is required one hour before and event and a minimum of one hour after departure for clean-up. It is also understood that after 6:00 PM two custodians are contractually required to be in the building and if there are no other activities in the building we will be billed for the cost of both custodians. (The Director of Facilities reserves the right to assign additional custodians to work larger events. Every effort will be made to notify the renter in advance if this is necessary.)
7. In no case shall any person other than a regular employee of the School Department, or a person approved by the School Department, be permitted to perform any service connected with the operation of the building or grounds, or any part of its equipment.
8. The applicant shall assume full responsibility for adhering to and enforcing State and Federal laws, as well as compliance with City ordinance regarding the prohibition, possession, and/or use of any alcoholic beverages, any tobacco products, or any firearms in the building, or on the grounds.
9. A permit may be cancelled without notice if its provision or its intent are violated in any manner and the Superintendent of Schools/designee shall be sole judge of such violations.
10. No permit shall be issued for any activity, which would include any display of fireworks or that violate State Fire Code Regulations.



- I 1. No food or beverages are allowed in the gymnasiums. The use of latex balloons is prohibited in all buildings.
- I 2. Any person using any of the school gymnasiums must wear sneakers or appropriate athletic shoes. No hard-soled shoes will be allowed on the playing area of these gyms.

## USE OF PUBLIC SCHOOL FACILITIES

### Group Definitions

#### Group 1

Newburyport Public Schools Clubs, Teams, and Organizations

#### Group 2

Newburyport school-related organizations (PTOs, Booster Clubs,) NYS

#### Group 3

Newburyport based youth approved teams (Babe Ruth, Little League, NBBA, NGBA, Youth Lacrosse, Youth Soccer, and Youth Football)

#### Group 4

Non-Profit with proof of status

#### Group 5

Individuals, Newburyport organizations and groups, and all for profit individuals and organizations. Local profit.

#### Group 6

Individuals, non-Newburyport organizations and groups, and all for profit individuals and organizations. Local non-profit.

## Use of Athletic Fields

Use of all school system athletic fields is coordinated by the High School Athletic Director and the principal at each site.

No organized activity will begin on any athletic field prior to 9:00 a.m. on Saturdays, Sundays, or holidays. These restrictions may be waived by action of the School Committee.

# Section G: Personnel

GA: Personnel Policies Goals

GBA: EQUAL EMPLOYMENT OPPORTUNITY

GBEA: STAFF ETHICS / CONFLICT OF INTEREST

GBEB: STAFF CONDUCT

GBEBC: GIFTS TO AND SOLICITATIONS BY STAFF

GBEBD: Crowdfunding

GBEC: DRUG FREE WORKPLACE

GBED: TOBACCO USE ON SCHOOL PROPERTY BY STAFF PROHIBITED

GBGB: STAFF PERSONAL SECURITY AND SAFETY

GBGE: DOMESTIC VIOLENCE LEAVE POLICY

GBGF: Family and Medical Leave

GBI: STAFF PARTICIPATION IN POLITICAL ACTIVITIES

GBJ: PERSONNEL RECORDS

GBK: Staff Complaints and Grievances

GCA: PROFESSIONAL STAFF POSITIONS

GCBA: PROFESSIONAL STAFF SALARY SCHEDULES

GCBB: EMPLOYMENT OF PRINCIPALS

GCBC: PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

GCE: PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES

GCF: PROFESSIONAL STAFF HIRING

GCG: Substitute Professional Staff Employment

GCIA: PHILOSOPHY OF STAFF DEVELOPMENT

GCJ: PROFESSIONAL TEACHER STATUS

GCK: PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

GCO: Evaluation of Professional Staff

GCQD: Resignation of Professional Staff Members

GCQE: Retirement of Professional Staff Members

GCQF: SUSPENSION AND DISMISSAL OF STAFF MEMBERS

GCRD: TUTORING FOR PAY

GDA: Support Staff Positions

GDB: Support Staff Contracts and Compensation Plans

GDO: Evaluation of Support Staff

GDQC: Retirement of Support Staff Members

GEBC [replaced with GBEC]

## PERSONNEL POLICIES GOALS

Section G: Personnel Policies

File: GA

The District's specific personnel goals are:

- I. 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 adhere to the Clipper values :
  - Respect
  - Kindness
  - Innovation
  - Perseverance
  - Responsibility
  - Reflection

and the following parameters:

- We will make all decisions and take all actions based on the best interest of the student.
  - We will honor the dignity of each person
  - We will not compromise excellence
  - We will practice the principles of participatory decision making throughout the organization
  - We will make optimal use of technology
3. 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.
  4. 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.
  5. To provide for a genuine team approach to education.
  6. To develop and use for personnel evaluation positive processes that contribute to the improvement of both staff capabilities and the learning program.

SOURCE: Newburyport Public Schools Strategic Plan, MASC

LEGAL REF.: M.G.L. 76:5

603 CMR 26.00

### Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

## GBA: EQUAL EMPLOYMENT OPPORTUNITY

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

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

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

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

CROSS REF.:       AC, Nondiscrimination

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## 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 Newburyport Public Schools will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his duties and responsibilities in the school system. Nor will any staff member engage in any type of private business during school time or on school property.

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

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

Every 2 years, all current employees, including School Committee members, must complete the State Ethics Commission's online training. New employees must complete this training within 30 days of beginning employment and every 2 years thereafter. Upon completing the program, employees should print out the completion certificate and keep a copy for themselves. Employees will be required to provide a copy of the completion certificate to the municipal or district Clerk through the Superintendent's office. Employees will receive and sign-off on the ethics summary on a yearly basis.

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

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GBEB: STAFF CONDUCT

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

In the area of personal conduct, the School 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.

LEGAL REFS.:        M.G.L. 71:37H

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GBEBC: GIFTS TO AND SOLICITATIONS BY STAFF

### Gifts

The acceptance of gifts worth \$50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in his or her public role, violates the conflict of interest law. Acceptance of gifts worth less than \$50, while not prohibited by the conflict of interest law, may require a written public disclosure to be made.

In keeping with this policy, no employee of the school district will accept a gift worth \$50 or more that is given because of the employee's public position, or anything that the employee could do or has done in his/her public position. Gifts worth less than \$50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of \$20 value is the same as 1 gift of \$80 if given in the same calendar year).

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

### Class Gifts

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

### Gifts for School Use

Gifts given to a teacher solely for classroom use or to purchase classroom supplies are not considered gifts to an individual employee and are not subject to the \$50 limit. However, an employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

### Solicitations



In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support. However, the solicitation of funds from staff members through the use of school personnel and school time is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members. Staff members, of course, remain free to support charitable causes of their own selection.

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

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## CROWDFUNDING

<b>Section G: Personnel Policies</b>	<b>File: GBEBD</b>
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If any district employee seeks to use a crowd funding campaign to benefit the School district, they must obtain the approval of their building principal. the Superintendent. It's important to note that any crowdfunding efforts must be for something that benefits entire classes or groups of students, not the teacher, if it's going to avoid becoming a conflict of interest. Crowdfunding includes the solicitation of goods, services, or money from a large number of people through any physical or electronic medium, including without limitation through any online service or other electronic network such as GoFundMe, Kickstarter, Indiegogo, YouCaring, and DonorsChoose.

SOURCE: MASC February 2018 LEGAL REF.: M.G.L. 71:37H

SOURCE: MASC February 2018

LEGAL REF.: M.G.L. [71:37H](#)

### Version Control

Action	Date
First Reading	5/21/18
Second Reading	6/18/18
Adopted	6/18/18
<b>Revised First Reading</b>	12/21/20
<b>Second/Adopted</b>	3/15/2021

## GBEC: DRUG FREE WORKPLACE

The School District will provide a drug-free workplace and certifies that it will:

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

LEGAL REFS.: 41 USC 81

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

**Adopted: November 6, 2017**

**Revised: October 2, 2023**

## GBED: TOBACCO USE ON SCHOOL PROPERTY BY STAFF PROHIBITED

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel, is prohibited at all times.

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

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

CROSS REFS.: ADC, Tobacco Products on School Premises Prohibited  
JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GBGB: STAFF PERSONAL SECURITY AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the School 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 legally required to verify need for sick leave.

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

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

CROSS REFS.: EB, Safety Program

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GBGE: 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 REF.: M.G.L. 149:52E

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## FAMILY AND MEDICAL LEAVE

Section G: Personnel Policies	File: GBGF
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The School District shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall issue, and from time to time amend, procedures setting forth the rights and procedures granted by the Act, and shall ensure compliance with those procedures either personally or by delegation, or by some combination of personal oversight and delegation.

**SOURCE:** MASC September 2016

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

### Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017



## GBI: STAFF PARTICIPATION IN POLITICAL ACTIVITIES

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

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

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

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GBJ: PERSONNEL RECORDS

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

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

CONTRACT REF.:   All Agreements

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

# STAFF COMPLAINTS AND GRIEVANCES

Section G: Personnel Policies

File: GBK

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 School 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.

In accordance with parameters established through negotiated agreements, 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 School Committee, except in those areas where the law has specifically assigned authority to the Principal and/or the Superintendent and School Committee action would be in conflict with that law.

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

**SOURCE:** MASC September 2016

**LEGAL REFS.:** M.G.L. [150E:5](#) and [8](#)

**CONTRACT REFS.:** All Contract Agreements

## Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

## GCA: PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school system will be created initially by the School Committee. It is the School 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 School Committee may abolish a position it has created.

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## 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 and Administrators on Individual Contracts

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

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

CROSS REF.: GCBB, Employment of Principals

CONTRACT REF.: Teachers' Agreement

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GCBB: EMPLOYMENT OF PRINCIPALS

Principals shall be employed by the School District 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.

Initial contracts issued to Principals may 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.

The length of second and subsequent contracts of employment for Principals shall be in accordance with state law.

As a condition of employment, each Principal must maintain current ~~certification~~ licensure, adhere to the policies and goals of the School Committee and the directives of the Superintendent, and annually must submit, with the school council, the educational goals and school improvement plan for the school building(s) under their direction.

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

CROSS REF.: GCBA, Professional Staff Salary Schedules

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GCBC: PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

Certain assignments require extra responsibility or extra time over and above that required of other staff members who are on the same position on the basic salary schedule. When such supplemental assignments require extra time and responsibility beyond that regularly expected of teachers, they may be rewarded with extra compensation.

Assignments that are to be accorded extra compensation will be designated by the School Committee. Appointments to these positions will be made by the Superintendent for District-wide positions or by the Principal with the approval of the Superintendent for building based personnel. The amount of compensation for the position will be established by the School Committee at the time the position is created.

A teacher who is offered and undertakes a supplementary pay assignment will receive a supplementary contract specifying the pay, duration and terms of the assignment. If a teacher will not be extended the assignment for the following school year but will remain on the teaching staff, he or she will be so notified in writing prior to the expiration of the contract. Upon termination of the assignment, the supplementary pay will cease.

LEGAL REF.:            Collective Bargaining Agreement

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GCE: PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES

It is the responsibility of the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school system and it is the responsibility of the Principal, in consultation with the Superintendent, to determine the personnel needs of the individual schools. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

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

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school system. Any current employee may apply for any position for which they have licensure 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.

LEGAL REFS.:        Collective Bargaining Agreements

**Adopted: December 18, 2017**

**Revised: October 2, 2023**



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

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

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

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

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

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45  
603 CMR 7:00, 26.00, and 44:00  
Acts of 2022, Chapter 117

**Adopted: June 18, 2018**  
**Revised: October 2, 2023**

## SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Section G: Personnel Policies

File: GCG

The school system will employ as substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments and will assign teachers substitute-teaching positions on the basis of their areas of competence. When the supply of potential substitutes in a particular subject area is too limited to meet school department needs, there will be active recruitment for substitutes in those areas. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided with as much support as possible by building administrators and teachers.

The School Committee will set the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the School Committee.

**SOURCE:** MASC

### Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

## 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.

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.

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GCJ: 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 their decisions on the results of evaluation procedures conducted according to School 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 subject to satisfactory evaluations. A teacher with professional teacher status whose position is abolished by the School Committee may be continued in the employ of the school system in another position for which he/she is legally qualified.

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

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## GCK: PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The basic consideration in the assignment of professional staff members will be the needs of the students and the instructional program.

Therefore, the assignment and transfer of professional staff members will be accomplished by the Superintendent on the basis of the employee's qualifications, the needs of the school system, and the employees' expressed desires.

Care will be exercised by the Superintendent to assure that all schools are staffed with highly qualified teachers.

Within an individual school, the building administrator will have the authority to assign classes and courses, provided this is done with full regard for the teacher's area of licensure and the policies delineated above.

CONTRACT REF.: Teachers' Agreement

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

# EVALUATION OF PROFESSIONAL STAFF

Section G: Personnel Policies

File: GCO

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, teacher initiated observations and standards set by the DESE.

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 administrator (if applicable) will receive a signed copy. The signature should indicate that the evaluation has been read and discussed.

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

SOURCE: MASC

LEGAL REF.: M.G.L. [69:1B](#); [71:38](#); [71:38Q](#); [150E](#); [152B](#)

603 CMR [35:00](#)

CONTRACT REF.: Teachers' Agreement

## Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

## RESIGNATION OF PROFESSIONAL STAFF MEMBERS

Section G: Personnel Policies	File: GCQD
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Professional staff members may discontinue their service in the school system during the school year by submitting a written notice of intent to resign to the appropriate hiring authority.

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

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

**SOURCE:** MASC

### Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

## RETIREMENT OF PROFESSIONAL STAFF MEMBERS

Section G: Personnel Policies	File: GCQE
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Annually, the Superintendent will inform the School Committee of the professional staff members who have indicated their intention to retire at the end of the current school year. No further School Committee action is necessary unless approval is needed for the payment of or participation in continued local benefits.

**SOURCE:** MASC

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

**CONTRACT REF.:** Teachers' Contract

### Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017



## GCQF: SUSPENSION AND DISMISSAL OF STAFF MEMBERS

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

When the Superintendent or a Principal determines that sufficient cause exists that an employee be suspended or dismissed from service in the school system, he or she will:

1. Be certain that each such case is supported by defensible records.
2. Determine if the individual is to be suspended immediately with the understanding that the suspension will be subject to restoration of salary and position if an appeal is decided in favor of the individual.
3. Follow the procedures for dismissal or suspension that are contained in applicable laws as well as those included in the current agreement with the teachers' bargaining unit.
4. Provide the individual involved with a written statement that will:
  - a. Indicate whether the action the Superintendent is taking is dismissal or suspension.
  - b. State the reason for the suspension or dismissal.
  - c. Guarantee that all procedures will be in accordance with due process of law.
  - d. Inform employees who have a right to request a hearing under appropriate laws that they may be represented at such a hearing by counsel of their choice.

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## 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.

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

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

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

A teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. Schools cannot send home brochures for a particular tutoring service with the children.

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.

NOTE: A teacher cannot tutor in their own district if the district is going to pay for the tutoring unless the district has included a provision in the teachers' collective bargaining agreement providing a set amount of extra pay for tutoring by teachers that will be included in the teachers' regular paychecks.

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

**Adopted: December 18, 2017**

**Revised: October 2, 2023**

## SUPPORT STAFF POSITIONS

Section G: Personnel Policies	File: GDA
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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 School Committee. In each case, the Superintendent will submit for the School Committee's consideration and action a job description or job specifications for the position.

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

**SOURCE:** MASC

### Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

# SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS

Section G: Personnel Policies

File: GDB

In establishing rates of pay and levels of compensation for support staff personnel, the School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school department.

Compensation plans will be reviewed based on negotiated agreements. Such review, where applicable, will be carried out in connection with negotiations with representatives of recognized bargaining units. The master agreements with these units will be considered appendices to this manual and will have the full force of School Committee policy.

The School Committee will set the rates of pay for personnel not covered by collective bargaining agreements.

## Overtime

Support staff employees will be paid overtime wages for work performed in accordance with negotiated agreement

In counting hours for the purpose of allowing overtime work and pay, supervisors will consider sick leave, vacation time, and holidays as time worked.

Every effort must be made to minimize overtime by scheduling duties during the regular workday. Overtime will be authorized only by the Superintendent and only to cover emergency situations. All such work will be assigned on a fair and equitable basis.

**SOURCE:** MASC

**LEGAL REF.:** M.G.L. [71:38](#)

**CONTRACT REFS.:** All Contracts

## **Version Control**

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

## EVALUATION OF SUPPORT STAFF

Section G: Personnel Policies	File: GDO
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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 will cover the major areas of the employee's responsibilities and their job descriptions.

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

**SOURCE:** MASC September 2016

**CONTRACT REFS.:** All support staff agreements

### Version Control

Action	Date
First Reading	12/4/2017
Second Reading	12/18/2017
Adopted	12/18/2017

## RETIREMENT OF SUPPORT STAFF MEMBERS

Section G: Personnel Policies	File: GDQC
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All 20-hour non-instructional personnel are required to participate in the Commonwealth of Massachusetts Retirement System.

Periodically, the Superintendent will present to the School Committee the names of support staff members who have indicated their intentions to retire.

**SOURCE:** MASC

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

### Version Control

Action	Date
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GEBC [replaced with GBEC]

# Section H: Negotiations

HA: NEGOTIATIONS GOALS

HB: NEGOTIATIONS LEGAL STATUS

HF: SCHOOL COMMITTEE NEGOTIATING AGENTS



## HA: NEGOTIATIONS GOALS

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

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

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

LEGAL REF:           M.G.L. 150E

**Adopted: November 6, 2017**

**Revised: October 2, 2023**

## HB: NEGOTIATIONS LEGAL STATUS

All negotiations between the School Committee and recognized employee groups are conducted subject to Massachusetts General Laws. The legal status of negotiations is defined in part by Sections 1 and 2 of that chapter, as follows:

“In the case of school employees, the municipal employer shall be represented by the school committee or its designated representative or representatives.” (Section 1)

" shall have the right of self-organization and the right to form, join, or assist any employee organization for the purpose of bargaining collectively through representatives of their own choosing on questions of wages, hours, and other terms and conditions of employment, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint, or coercion. An employee shall have the right to refrain from any or all of such activities, except to the extent of making such payment of service fees to an exclusive representative as provided in section twelve." (Section 2)

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

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

**Adopted: November 6, 2017**

**Revised: October 2, 2023**

## HF: SCHOOL COMMITTEE NEGOTIATING AGENTS

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

The School Committee will appoint the negotiator and the fee or salary for their services will be established in accordance with the law at the time of appointment.

The duties of the negotiator will be as follows:

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

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

**Adopted: November 6, 2017**

**Revised: October 2, 2023**

# Section I: Instruction

IB: ACADEMIC FREEDOM

IC/ICA: SCHOOL YEAR / CALENDAR

ID: SCHOOL DAY

IE: Organization of Instruction [DELETED]

IGA/IGD: CURRICULUM DEVELOPMENT AND ADOPTION

IGB: SUPPORT SERVICES PROGRAMS

IHA: Basic Instructional Program [DELETED]

IHAJ: Occupational Education [DELETED]

IHAM: Health Education

IHAMA: PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

IHAMB: TEACHING ABOUT ALCOHOL, TOBACCO AND DRUGS

IHAM-R: HEALTH EDUCATION EXEMPTION PROCEDURE

IHB: SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS

IHBA: PROGRAMS FOR STUDENTS WITH DISABILITIES

IHBAA: Observations of Special Education Programs

IHBD: COMPENSATORY EDUCATION (TITLE 1)

IHBEA: ENGLISH LEARNER EDUCATION

IHBF: HOMEBOUND INSTRUCTION

IHBG: HOME SCHOOLING

IHBG-R: HOME SCHOOLING REQUIREMENTS [DELETED]

IHBH: ALTERNATIVE SCHOOL PROGRAMS

IHCA: SUMMER SCHOOLS

IJ: INSTRUCTIONAL MATERIALS

IJ-R: RECONSIDERATION OF INSTRUCTIONAL RESOURCES

IJL: LIBRARY MATERIALS SELECTION AND ADOPTION

IJLA: LIBRARY RESOURCES

IJND: ACCESS TO DIGITAL RESOURCES (ACCEPTABLE USE POLICY)

IJNDC: INTERNET PUBLICATION

IJOA: FIELD TRIPS

IJOB: COMMUNITY RESOURCE PERSONS/ SPEAKERS

IJOC: SCHOOL VOLUNTEERS

IKAB: STUDENT PROGRESS REPORTS TO PARENTS/GUARDIANS

IKE: PROMOTION AND RETENTION OF STUDENTS

IKF: GRADUATION REQUIREMENTS

IL: EVALUATION OF INSTRUCTIONAL PROGRAMS

IMA: TEACHING ACTIVITIES/PRESENTATIONS [DELETED]

IMB: TEACHING ABOUT CONTROVERSIAL ISSUES/CONTROVERSIAL SPEAKERS

IMD: SCHOOL CEREMONIES AND OBSERVANCES

IMG: ANIMALS IN SCHOOL

## IB: ACADEMIC FREEDOM

The School Committee believes in educating students in the values of a democracy, to foster recognition of individual freedom and social responsibility, to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate example the basic objectives of a democratic society as set forth in the Constitutions of the United States and the Commonwealth.

LEGAL REF.:       M.G.L. 76:5  
                      603 CMR 26.00

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

## IC/ICA: SCHOOL YEAR / CALENDAR

The school calendar for the ensuing year will be prepared by the Superintendent and submitted to the School Committee for approval annually. The number of days or instructional hours scheduled for the school year will be determined in accordance with the following standards set by the Massachusetts Board of Elementary and Secondary Education:

1. Elementary school will operate for a minimum of 180 days. Schools shall ensure that every elementary school student is scheduled to receive a minimum of 900 hours per school year of structured learning time, as defined in regulation. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.
2. Secondary schools will operate for a minimum of 180 days. Schools shall ensure that every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time, as defined in regulation. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

For the information of staff, students, and parents, the calendar will set forth the days schools will be in session; holidays and vacation periods; in service days; and parent conferences.

Newburyport School Calendars will always follow these guidelines with regards to setting a starting date for school:

- The Friday before Labor Day will always be a no-student day and a non-work day for educators.
- Before the full beginning of the year, time will be set up to allow students in transition years (1, 4, 6, and 9) time in their new buildings to become acclimated before all students arrive.
- New-teacher orientation and otherwise stipended days are not considered “regular faculty days” and can therefore take place outside of this policy.
- In years when Labor Day falls between September 1- 4, school will start after Labor Day,
  - o Regular faculty days will also start after Labor Day unless specifically requested for approval by the Superintendent and applicable labor unions.
  - o All students grades 1-12 will have at least 1 complete school day during this first week of programming.
- In years when Labor Day falls between September 5-7, we will start school during the week before Labor Day.
- Regular faculty days will not start before the Monday before Labor Day.
- All students grades 1-12 will have at least one complete school day during this first week of programming.

**Adopted: 06/19/2017**

**Revised: 6/19/2017, 12/06/2021, 11/20/23**



## ID: SCHOOL DAY

The length of the school day is established by the Superintendent to meet the educational goals of each building, and is subject to collective bargaining with the various school unions. The specific opening and closing times of the schools will be recommended by the Superintendent and set by the School Committee.

The Superintendent is authorized to make minor changes in opening and closing times to simplify transportation scheduling; however, major changes in schedules will be subject to School Committee approval.

Parents and guardians will be informed of the opening and closing times set by the School Committee. To help ensure the safety of all children, students are expected to come to school at the start of the official day unless bus schedules have been altered, or the student is excused according to building practice.

Occasionally certain students or groups of students may be released early for out-of-school activities, these exceptions must be kept to a minimum to ensure continuity of learning and be aligned with the educational goals.

LEGAL REF.: M.G.L. 15:1G; 69:1G; 71:59  
603 CMR 27.00

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

IE: Organization of Instruction [DELETED]

## IGA/IGD: CURRICULUM DEVELOPMENT AND ADOPTION

Constant adaptation and development of the curriculum is necessary if the District is to meet the needs of the students in its schools. To be successful, curriculum development must be a collaborative enterprise involving staff and administrators utilizing their professional expertise.

The School Committee will rely on the professional staff to design and implement instructional programs and courses of study that will forward the educational goals of the school district and align to the Department of Elementary and Secondary Education Curriculum Frameworks.

The Superintendent will have authority to approve new programs and courses of study after they have been thoroughly studied and found to support educational goals.

The School Committee wishes to be informed of all new courses and substantive revisions in curriculum. It will receive reports on changes under consideration. Its acceptance of these reports, including a listing of the high school program of studies, will constitute its adoption of the curriculum for official purposes.

LEGAL REF.:           M.G.L. 15:1G; 71:1; 69:1E  
                              603 CMR 26:05

Adopted: February 2, 2018

Revised: March 20, 2023 and November 20, 2023

## IGB: SUPPORT SERVICES PROGRAMS

To support the classroom activities and other instructional needs of the District, various educational services as listed shall be provided. The Student Services staff will work in cooperation with building staff and the administration of the District in the coordination and the supervision of the curriculum implementation of the instructional program, and support services programs.

The Director of Pupil Services in conjunction with the building Principal, shall be responsible for all services for students who are not eligible for special education assistance but may require support services. such as counseling, homebound and hospital teaching, and such other programs as may be assigned.

CROSS REF.: ACE, Nondiscrimination on the Basis of Disability

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

IHA: Basic Instructional Program [DELETED]

IHA: Occupational Education [DELETED]

## IHAM: Health Education

The School Committee believes that the greatest opportunity for effective health education lies within the public schools because of their potential to reach children at the age when positive, lifelong health habits are best engendered and because the schools are equipped to provide qualified personnel to conduct health education programs. Good health also depends upon continuous life-long attention to scientific advances and the acquisition of new knowledge.

The School Committee is committed to a sound, comprehensive, research-based health education program as an integral part of each student's general education. Health education will be taught as a separate academic discipline in grades 4 through 12 . Healthy habits will be taught in a multidisciplinary approach in grades K-3.

The health education program will emphasize the 40 Developmental assets as the foundation for healthy lifestyles including the presentation of health information, skills, and the knowledge necessary for students to understand and appreciate the functioning and proper care of the human body. Students also will be presented with information regarding complex social, emotional physical and mental health issues, which they might experience or encounter in society. In an effort to help students make intelligent choices of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger school-community environment.

In order to promote a relevant, dynamic approach to the instruction of health education, the School Committee will continue to stress the need for curricular, personnel, and financial commitments that are necessary to assure the high quality of the system's health education program.

LEGAL REF.: M.G.L. 71:1

**Adopted: February 5, 2018**

## IHAMA: PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

In accordance with law, the School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, all parents/guardians of students will be notified in writing of the courses and curriculum that primarily involve human sexual or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If planned curricula change during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy, and will inform parents/guardians that they may:

1. Exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexual issues, without penalty to the student, by sending a letter to the school Principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.
2. Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable. Parents/guardians may arrange with the Principal to review the materials at the school and may also review them at other locations that may be determined by the Superintendent of Schools.

A parent/guardian who is dissatisfied with a decision of the Principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Superintendent for review of the issue. The Superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request. A parent/guardian who is dissatisfied with the Superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision, preferably within four weeks of the request. A parent/guardian who is still dissatisfied after this process may send a written request to the Commissioner of Education for review of the issue in the dispute.

The Superintendent of Schools will distribute a copy of this policy to each Principal by September 1 of each year.

LEGAL REFS:       M.G.L. 71:32A  
                      603 CMR 5

**Adopted: February 5, 2018**  
**Revised: November 20, 2023**



## IHAMB: TEACHING ABOUT ALCOHOL, TOBACCO AND DRUGS

In accordance with state and federal law, the District shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12.

The alcohol, tobacco, and drug prevention program shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs.

The objectives of this program, as stated below, are rooted in the School Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision-making:

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the School Committee.

This policy shall be posted on the district's website and notice shall be provided to all students and parents in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

LEGAL REFS.: M.G.L. 71:1; 71:96

CROSS REFS: GBEC, Drug Free Workplace Policy  
JICH, Drug and Alcohol Use by Students

**Adopted: November 6, 2017**

**Revised: November 20, 2023**

## IHAM-R: HEALTH EDUCATION EXEMPTION PROCEDURE

Exemption will be granted from a specific portion of health education curriculum on the grounds that the material taught is contrary to the religious beliefs and/or teachings of the student or the student's parent/guardian.

A request for exemption must be submitted in writing to the Principal in advance of instruction in that portion of the curriculum for which the exemption is requested. The request must state the particular conflict involved.

The Principal will confer with the teacher to determine the length of time a student will be exempt. The teacher will develop an alternative activity for which the student will receive credit.

The Principal will inform the parent/guardian of disposition of the request within a reasonable number of school days of receipt of the request.

LEGAL REF.: M.G.L. 71:1

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

## IHB: SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS

The goals of this school system's special education program are to allow each child to grow and achieve at his own level, to gain independence and self-reliance.

The requirements of law and regulation will be followed in the identification of children with special needs, in referrals for their evaluation, in prescribing for them suitable programs and in assessing their educational progress. In keeping with state requirements, all children with special needs between the ages of three to twenty-two who have not attained a high school diploma or its equivalent will be eligible for special education.

The School Committee believes that most children with special needs can be educated in the regular school program if they are given special instruction, accommodations and the support they need. These children should also be given the opportunity to participate in the school system's non-academic and extracurricular activities.

The School Committee recognizes that the needs of certain children are so great that special programs, special classes or special schools may be necessary. When appropriate programs, services, or facilities are not available within the public schools, the School Committee will provide these children with access to appropriate instruction programs or accommodations.

It is the desire of the School Committee that the schools work closely with parents in designing and providing programs and services to children with special needs in accordance with applicable law. Parents will be informed, and conferred with, whenever a child is referred for evaluation. In event of any disagreement concerning diagnosis, program plan, special placement, or evaluation, the parents will be accorded the right of due process.

The School Committee will secure properly trained personnel to work with children with special needs. Since the financial commitment necessary to meet the needs of all of these children is extensive, the School Committee will make every effort to obtain financial assistance.

LEGAL REFS.:       The Individuals with Disabilities Ed. Act (PL 108-446, adopted 12/03/04)  
                          Rehabilitation Act of 1973  
                          M.G.L. 71B:1 et seq.  
                          603 CMR 28:00 inclusive

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

## IHBA: PROGRAMS FOR STUDENTS WITH DISABILITIES

In order to offer educational opportunities to all students that will enable them to lead fulfilling and productive lives, the District shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal statutes.

LEGAL REF.:           Rehabilitation Act of 1973, Section 504

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IHBAA: Observations of Special Education Programs

In accordance with Massachusetts special education law, the Newburyport Public School district permits parents/guardians and their designees (defined by law as parent designated independent evaluators and educational consultants) to conduct in-school observations of their child's current or proposed special education program. When a parent/guardian or designee wishes to conduct such an observation, the following procedures shall be followed:

The parent/guardian shall contact the Special Education office at the building level and indicate that an observation is requested. The parent/guardian will indicate the name of the person who will conduct the observation and the affiliation of that person to the child and/or parent/guardian.

If the request for the observation comes from someone other than the parent/guardian, the school district will need to confirm with the parent/guardian the identity of the observer and ensure that the parent/guardian consents to the observation. If the observer is not the parent/guardian, the parent/guardian must sign a release for the individual to observe. If the designee wishes to observe the student's records, the school district must obtain written consent from the parent/guardian before allowing the designee to access the student's record in accordance with the Massachusetts student record regulations.

Upon notification of the request for the observation, the school district will provide timely access to the student's current or proposed educational program. The school district will contact the parent/guardian and/or designee to schedule a mutually convenient time for the observation.

The school district will also discuss with the parent/guardian and/or designee in advance of the observation a reasonable time allotment for the observation. The number, frequency, and duration of observation periods will be determined on an individual student basis in accordance with law and regulation. The start and end time of observation periods and a schedule of observation periods will be stated in advance. The observer will be permitted to observe both academic and non-academic activities if requested. Approval for such observations may be withheld for the reasons outlined within law and DESE regulations. The number of observers at any one time may be limited.

The Newburyport Public School district is responsible to ensure the safety of its students at all times. If, in the opinion of the school district, the observation threatens to compromise the safety of the students in the observed program, the integrity of the program during the observation, or if there is the threat of disclosure by the observer of confidential or personally identifiable information he or she may obtain while observing the program, the school district may impose reasonable limitations and restrictions on the observation. The school district will discuss these concerns with the observer prior to the observation, and the school district will make reasonable efforts to work with the observer around these issues to ensure a safe and productive observation. Any limitation and restrictions imposed pursuant to this paragraph will be done on a case by case basis.

The Newburyport Public School district may exercise its discretion at any time to reschedule or terminate an observation in the event of a building emergency or a significant disruption that impacts the physical or emotional well-being of the students in the school or the program being observed.

The observer will be informed that he/she is not to interfere with the educational environment of the classroom. If his/her presence presents a problem, he/she will be asked to leave. This notice is particularly important, since the presence of parents/guardians can influence both the performance of their student and those of others.

The observer will be asked to submit his/her report of the observation in advance of any follow-up TEAM meeting.

The observer will be informed that he/she is there to evaluate the appropriateness of a specific educational program to meet the needs of an individual student. He/she is not there to evaluate a teacher's ability to perform his or her contractual job duties.

The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other students. Staff must be mindful of removing materials which may be part of students' records from plain view. In the event that removal is not possible the observer may be asked to sign a non-disclosure agreement.

A school administrator, or designee, also will observe at the same time and take notes as to what is observed, paying particular attention to note anything that is non-typical concerning the period.

LEGAL REF.: MGL 71B:3

Massachusetts Department of Elementary and Secondary Education Technical Assistance Advisory  
SPED 2009-2 dated January 8, 2009

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

## IHBD: COMPENSATORY EDUCATION (TITLE 1)

Title 1 funds shall be used to provide educational services that are in addition to the regular services provided for District students. By adoption of this policy, the School Committee ensures equivalence in the provision of curriculum materials and supplies.

LEGAL REF.: Title 1, Elementary and Secondary Education Act, as amended

CROSS REF.: DEC, Federal Funds Supplement Not Supplant Policy

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IHBEA: ENGLISH LEARNER EDUCATION

The District shall provide suitable research-based language instructional programs for all identified English learners in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Elementary and Secondary Education (DESE) regulations and guidance.

The District shall identify students whose dominant language may not be English through

- home language surveys that identify a primary home language is other than English
- observations
- intake assessments
- recommendations of parents/guardians, teachers and other persons.

Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to DESE each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by DESE to comply with federal law.

LEGAL REFS.:       Elementary and Secondary Education Act, as amended  
                          42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)  
                          603 CMR 14.00

**Adopted: June 19, 2017**

**Revised: November 20, 2023**



## IHBF: HOMEBOUND INSTRUCTION

The schools may furnish homebound instruction to any student who must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than 14 days in any school year. The instruction is designed to provide maintenance in the basic academic courses so that when a student returns to school he/she will not be at a disadvantage because of the illness or the hospitalization.

To qualify for the program the student needs a written statement from a medical doctor requesting the homebound instruction, stating the reasons why, and estimating the time the student will be out of school. This statement needs to be sent to the Director of Pupil Services.

Homebound instruction is offered in basic elementary subjects and in secondary subjects which do not require laboratories and special equipment, subject in all cases to the availability of qualified teachers. Certified teachers shall be assigned to homebound instruction by the Superintendent or designee.

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IHBG: HOME SCHOOLING

The Massachusetts General Law requires the School Committee to determine that a Home-Schooling program meet with the minimum standards established for public schools in the Commonwealth prior to approving such a program.

When a parent or guardian of a student below the age of 16 wants to establish a home-based educational program for his/her child, the following procedures shall be followed in accordance with the law:

Prior to removing the child from public school:

The parent/guardian must submit written notification of establishment of the home-based program to the appropriate administrator 14 days before the program is established and resubmit notification on an annual basis as long as the child or children are being educated in a home-based environment.

The parent/guardian must certify in writing, on a form provided by the District, the name, age, place of residence, and number of hours of attendance of each child in the program.

The Superintendent shall give the notice to produce records required by law if there is probable cause to believe the program is not in compliance with the law. Factors to be considered by the Superintendent or School Committee in deciding whether or not to approve a home education proposal may be:

1. The proposed curriculum and the number of hours of instruction in each of the proposed subjects
2. The competency of the parents to teach the children,
3. The textbooks, workbooks and other instructional aids to be used by the children and the lesson plans and teaching manuals to be used by the parents.
4. Periodic standardized testing of the children to ensure educational progress and the attainment of minimum standards.

A student being educated in a home-based program within the District may have access to public school activities of either a curricular or extracurricular nature upon approval of the Superintendent.

LEGAL REFS.: M.G.L. 69:1D; 76:1, Care and Protection of Charles  
Care and Protections of Charles - MASS. Supreme Judicial Court 399 Mass. 324 (1987)

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

IHBG-R: HOME SCHOOLING REQUIREMENTS [DELETED]

## IHBH: ALTERNATIVE SCHOOL PROGRAMS

The School District will provide alternative education programs where these needs have been identified, where establishment of such programs is feasible, and where the proposed programs fall within the function normally associated with the public school system.

These alternative educational programs will seek to provide an appropriate academic, social, and vocational experience to aid these young people either to reenter the regular school system, move into another educational setting, or prepare them for successful employment.

LEGAL REFS.:      M.G.L. 71:37I; 71:37J  
                         603 CMR 17.00

**Adopted: February 5, 2018**  
**Revised: November 20, 2023**

## IHCA: SUMMER SCHOOLS

The school system shall make available summer sessions as a supplement to the instruction offered during the school year, when funding for such programs is available. The focus of the program will be remedial work.

To attend summer school, students must have the recommendation of their classroom and/or special subject teachers.

Students at all instructional levels may attend approved summer schools for remedial, enrichment, or make-up purposes. Credit towards graduation requirements may be granted to high school students in line with regulations of the School District.

All summer programs will be subject to annual approval by the School Committee.

LEGAL REF.: M.G.L. 71:28

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

## IJ: INSTRUCTIONAL MATERIALS

The School Committee believes that materials appropriate to the needs of the school program must be available to each student and teacher. These will be furnished by the School Committee subject to budgetary constraints.

The task of selecting instructional materials for programs will be delegated to the professional staff of the school system. Because instructional programs and materials are of great importance, only those that meet the following criteria will be approved by the Committee:

1. They must present balanced views of international, national, and local issues and problems of the past, present and future.
2. They must provide materials that stimulate growth in factual knowledge, literary appreciation, aesthetic and ethical values.
3. They must help students develop abilities in critical reading and thinking.
4. They must help develop and foster an appreciation of cultural diversity and development in the United States and throughout the world.
5. They must provide for all students an effective basic education that does not discriminate on the basis of race, age, color, religion, national origin, sex, gender identity, physical disabilities or sexual orientation.
6. They must allow sufficient flexibility for meeting the special needs of individual students and groups of students.

LEGAL REFS.: M.G.L. 30B:7; 71:48; 71:49; 71:50  
BESE regulations 603 CMR 26.00

CROSS REF.: KE, Public Complaints  
IGA/IGD, Curriculum Development and Adoption

**Adopted: February 5, 2018**  
**Revised: November 20, 2023**

## IJ-R: RECONSIDERATION OF INSTRUCTIONAL RESOURCES

Material that is challenged usually belongs to one of the three basic categories: religion, ideology, or profanity/obscenity. Board policies regarding these areas shall be as follows:

Religion -- Factual, unbiased material on religions has a place in school libraries.

Ideologies -- Libraries should, with no thought toward swaying reader judgment, make available a balanced collection of primary and factual material, on the level of their students on various ideologies or philosophies which exert or have exerted a strong force, either favorably or unfavorably, in government, current events, politics, education and other phases of life.

Profanity/obscenity -- Materials shall be subjected to a test of literary merit and reality in context using the criteria established.

When a problem concerning instructional resources in a school arises, the disposition of the problem will be made in a reasonable period of time using District adopted procedures.

In accordance with the statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the students of the parents making the complaint, if they so desire.

These challenges of materials will be reviewed by a Review Committee convened by the Superintendent, and the findings will be communicated.

If the decision of the School Committee is that the questioned instructional resource be retained, the District will not convene a Review Committee relative to the same complaint for a period of three years. If a substantially different point of view is advanced, it will be investigated. (The period of three years does not apply in this instance).

If an individual or a group undertakes action to keep material from the shelves by checking it out or otherwise removing it and failing to return it, or by taking turns in keeping it checked out so that it is not available for student use, the Superintendent shall request, in writing, the return of the material. If it is not returned within thirty (30) days, a bill for the current replacement cost of the item shall be rendered to the party holding the item.

After the District has adopted new materials or approved certain methods, that decision will not be reconsidered for a period of three years beginning with the end of the school year when the adoption is made.

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IJL: LIBRARY MATERIALS SELECTION AND ADOPTION

The School Committee endorses the School Library Bill of Rights, as adopted by the American Library Association, which asserts that the responsibility of the school library is to:

1. Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
3. Provide a background of information that will enable students to make intelligent judgments in their daily lives.
4. Provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.
5. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
6. Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

Initial purchase suggestions for library materials may come from all personnel—teachers, coordinators, and administrators. Students will also be encouraged to make suggestions. The librarian will recommend materials to be included in the school library. Final approval and authority for distribution of funds will rest with the building Principal subject to the approval of the Superintendent.

Gifts of library books will be accepted in keeping with the above policy on selection. Complaints about library books will be handled in line with School Committee policy on complaints about instructional materials.

LEGAL REF.: 603 CMR 26:05

CROSS REF.: KEC, Public Complaints about the Curriculum or Instructional Materials

REFERENCE: American Library Association – Library Bill of Rights

**Adopted: February 5, 2018**

**Revised: November 20, 2023**



## IJLA: LIBRARY RESOURCES

The primary objective of the library/media center is to implement its resources to enrich and to support the educational program of the school.

### Definition of Library Resources

Library resources are those print, non-print, and digital materials found in school libraries which support curricular and personal information needs.

### Criteria for Selection of Library Resources

The criteria for selection of library resources in the District are:

- Needs of the individual student
  - Based on knowledge of students
  - Based on requests of parents and students
- Needs of the individual school
  - Based on knowledge of the curriculum of the school
  - Based on requests from the professional staff
- Provision of a wide range of materials on many levels of difficulty with a diversity of appeal and the presentation of different points of view.
- Provision of materials of high artistic quality.
- Provision of materials with superior format.
- Reputable, unbiased, professionally prepared selection aids are consulted as guides.

In accordance with the District's policy of providing instructional materials on opposing sides of controversial issues, it should be noted that neither the media centers nor the District serve as advocates for the ideas expressed in any materials, nor does the presence of any material indicate automatic endorsement of the ideas expressed therein.

### Disclosure of Information/Privacy of Circulation Records

Circulation records shall not be made available to anyone except pursuant to such process, order, or subpoena as may be authorized by law.

### Re-evaluation (Weeding) of Library Resources

The continuous review of library/media center materials is necessary as a means of maintaining a useful and active collection. As new materials are selected and added, some older materials are withdrawn. The responsibility for determining which materials are to be withdrawn rests with the professional staff.

Among the reasons for withdrawing an item are the following:

- Curricular changes have rendered superfluous some materials (or multiple copies of materials) formerly used but no longer in demand.
- Some materials contain factual material that is no longer accurate nor current.

- Some materials intended for recreational reading have become dated or unattractive and are no longer in demand. (Some such books, which are deemed "standards" or "classics", will be retained even though they rarely circulate).
- Some materials have become worn out, damaged or physically deteriorated and have lost utility and/or appeal.
- Some materials have been superseded by newer items, which present the same information, but in superior format.

Withdrawn library/media center materials are processed in one or more of the following ways:

- Made available to be used as resource or supplementary material by teachers.
- Offered to other media centers in the District, as it is possible that a material, which lacks utility in one building, may have some usefulness in another.
- Contributed to appropriate charitable or educational agencies.
- Discarded, when warranted.

Continuing evaluation is closely related to the goals and responsibilities of library/media centers and is a valuable tool of collection development. This procedure is not to be used as a convenient or expedient means to remove materials presumed to be controversial or likely to be disapproved by segments of the community. Materials are not to be proscribed or removed because of actual or potential partisan or doctrinal disapproval, nor because of the origin, background or views of those contributing to their creation.

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

## IJND: ACCESS TO DIGITAL RESOURCES (ACCEPTABLE USE POLICY)

### Introduction

The Newburyport Public Schools (NPS) and the School Committee recognizes that access to technology in school gives students greater opportunities to learn, engage, communicate, collaborate, and develop skills that will prepare them for work, life, and citizenship. Our goal is to promote educational excellence by encouraging and facilitating resource sharing, innovation, and communication. We are committed to helping students develop 21st-century technology and communication skills. To that end, we provide the privilege of access to technologies for student and staff use. Internet use that is integrated into the school curriculum fosters the development of research and information skills, encourages critical and higher level thinking and provides expanded educational opportunities for both students and staff. While supporting the rights of students and staff to use all available tools, the NPS recognize that there is material on the internet that is objectionable or devoid of educational value in the context of a school setting. The NPS have taken steps to restrict access to inappropriate or controversial material. In addition to utilizing an internet content filter, NPS staff will closely supervise students' use of the internet. Although guidelines cannot totally eliminate the possibility of inadvertent or intentional access to such information, we believe that they can significantly limit such possibilities. The NPS believe that the access to valuable resources on the Internet far outweighs the concerns that the users may procure material that is not consistent with the educational goals of the NPS, and we intend to maximize the Internet's educational value.

NPS will ensure that it adheres to the most recent Children's Internet Protection Act (CIPA, <http://ifea.net/cipa.pdf>) requirements of 2001 and 2011 by:

- Implementing an Internet filter for the purpose of blocking access to visual depictions deemed obscene, child pornography, or harmful to minors. It may be disabled for adults engaged in bona fide research or other lawful purposes.
- Providing for educating minors (in this case 'minors' refer to school aged children up to the age of 17) about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

This Acceptable Use Policy outlines the guidelines and behaviors that all users are expected to follow when using school technologies or when using personally owned devices on the school campus, including:

- The NPS network is intended for educational purposes.
- All activity over the network or using district technologies may be monitored and retained.
- Access to online content via the network may be restricted in accordance with our policies and federal regulations, such as the Children's Internet Protection Act (CIPA).
- Users are expected to follow the same rules for good behavior and respectful conduct online as offline.
- Misuse of school resources may result in disciplinary action.
- NPS makes a reasonable effort to ensure users' safety and security online, but will not be held accountable for any harm or damages that result from use of school technologies.
- Users of the district network or other technologies are expected to alert IT staff immediately of any concerns for safety or security.

## **Technologies Covered**

NPS may provide the privilege of Internet access, desktop computers, mobile computers or devices, video conferencing capabilities, online collaboration capabilities, message boards, email, and more. This Acceptable Use Policy applies to both school-owned technology equipment utilizing the NPS network, the NPS Internet connection, and/or private networks/Internet connections accessed from school owned devices at any time. This Acceptable Use Policy also applies to privately owned devices accessing the NPS network, the NPS Internet connection, and/or private networks/Internet connections while on school property. As new technologies emerge, NPS will seek to provide access to them. The policies outlined in this document cover all available technologies now and into the future, not just those specifically listed or currently available.

## **Usage Policies**

All technologies provided by the district are intended for educational purposes. All users are expected to use good judgment and to follow the specifics as well as the spirit of this document: be safe, appropriate, careful and kind; don't try to get around technological protection measures; use good common sense; and ask if you don't know.

## **Web Access**

NPS provides its users the privilege of access to the Internet, including web sites, resources, content, and online tools. Access to the Internet will be restricted as required to comply with CIPA regulations and school policies. Web browsing may be monitored and web activity records may be retained indefinitely. Users are expected to respect the web filter as a safety precaution and shall not attempt to circumvent the web filter when browsing the Internet. The determination of whether material is appropriate or inappropriate is based solely on the content of the material and the intended use of the material, not on whether a website has been blocked or not. If a user believes a site is unnecessarily blocked, the user should submit a request for website review through the **RT PROCESS**.

## **Email**

NPS may provide users with the privilege of email accounts for the purpose of school-related communication. Availability and use may be restricted based on school policies. If users are provided with email accounts, the account(s) should be used with care. Users should not send personal information; should not attempt to open files or follow links from unknown or untrusted origins; should use appropriate language; and should only communicate with other people as allowed by the district policy or the teacher. Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Email usage may be monitored and as a school department, all email communications are archived for seven (7) years.

Technology Specialists who operate the system have access to all mail, including deleted messages. Messages relating to or in support of illegal activities may be reported to the authorities. All communications and information accessible via the network should be considered public property; however, the use of another person's intellectual property without that individual's prior written approval or authorization is prohibited. The school district will completely and periodically delete information from the system.

## **Legal Implications of Electronic Mail (Email)**

For the purpose of this policy email is defined as messages created and received on an electronic mail system. The email message may be text or word processing documents, spreadsheets or other data compilations transmitted through such a system. Email created or received by an employee of a government unit is a public record. In Massachusetts, the term “public record” is broadly defined to include all documentary materials or data created or received by any officer or employee of any governmental unit, regardless of physical form or characteristics. G.L. c. 4, sec. 7(26). Email is therefore a public record and subject to the requirements of the Public Records Law G. L. C. 66.

Email messages are subject to public access through the Public Records Law G. L. C. 66. Sec.10. A determination as to whether an email message is exempt from disclosure depends upon the content of the message. G. L.C. 4. Sec. 7(26)(a-m).

Email messages may be sought through the discovery process in litigation and may be admissible in evidence. Like all electronically created and stored records, email is subject to the rules of evidence and a judge will rule on its admissibility. Refer to the Commonwealth of Massachusetts Public Records Division SPR- Bulletin No. 1-99 dated February 16, 1999 for additional information.

## **Network Accounts**

Do not use another individual’s account or password. Do not give your password to others. Attempts to log-on to the system as another user may result in cancellation of user privileges.

## **Network Use Limitations**

The district’s computer network may not be used to disseminate commercial or personal advertisements, solicitations, promotions, destructive code (e.g., viruses, self- replicating programs, etc.), or any other unauthorized materials. Staff and students may not use the school system’s Internet connection to download games or other entertainment software or to play non-educational games over the Internet. Additionally, you may not use the computer network to display, store or send (by email or any other form of electronic communication such as bulletin boards, chatrooms, Usenet groups, etc.) material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise inappropriate or unlawful.

Computer resources are not unlimited. Network bandwidth and storage capacity have finite limits, and all users connected to the network have a responsibility to conserve these resources. As such, the user must

not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include but are not limited to, streaming music or videos for non-educational purposes, sending chain letters, spending, playing online games, or otherwise creating unnecessary loads on network traffic associated with non-educational uses of the Internet.

## **Social/Web 2.0 / Collaborative Content**

Recognizing the benefits that collaboration brings to education, NPS may provide users with access to web sites or tools that allow communication, collaboration, sharing, and messaging among users. Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline.

Posts, chats, sharing, and messaging may be monitored. Users should be careful not to share personally-identifying information online.

### **Mobile Devices Policy**

NPS may provide users with mobile computers or other devices to promote learning outside of the classroom. Users should abide by the same acceptable use policies when using school devices off the school network as on the school network. Users are expected to treat these devices with extreme care and caution; these are expensive devices that the school is entrusting to your care. Users should immediately report any loss, damage, or malfunction to the teacher or to IT staff. Users may be financially accountable for any damage resulting from negligence or misuse. Use of school issued mobile devices off the school network may be monitored.

### **Personally-Owned Devices Policy**

Students in grades kindergarten through eighth, should keep personally-owned devices (including laptops, tablets, smart phones, cell phones, e-readers, iPod touch, gaming devices) turned off and put away during school hours (with the exception of assistive devices) unless in the event of an emergency or as instructed by a teacher or staff for educational purposes. Devices are to be used as part of classroom lessons only upon teacher approval. Because of security concerns, when personally-owned mobile devices are used on campus, they must be used over the school network. High school students need to refer to Section 5-Policies and Procedures in the Clipper's Compass. All personally-owned devices are on a use at your own risk policy. The School District is not accountable for loss, damage, theft, etc.

This Acceptable Use Policy applies to privately-owned devices accessing the NPS network, the NPS Internet connection, and private networks/Internet connections while on school property. Virus protection for PC's is required.

Users who cannot access the NPS network or who may have technical issues with their own technology tool need to take care of this issue by working with the user's manual that came with the device outside of the classroom. These are not NPS devices and the district is not allocating resources to troubleshoot issues.

### **Individual Use Expectations**

#### **Security**

Users are expected to take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or untrusted origin. If you believe a computer or mobile device you are using might be infected with a virus, please alert IT. Do not attempt to remove the virus yourself or attempt to download any programs to help remove the virus.

You are responsible for any misuse of your account, even if the inappropriate activity was committed by another person. Therefore, you must take steps to ensure that others do not gain unauthorized access to your account. In addition, you may not use your account to breach security of another account or attempt to gain unauthorized access to another network or server.

Your password provides access to your account. Sharing your password and account access with unauthorized users is prohibited. You should take care to prevent others from using your account by keeping your password secure since you will be held responsible for such use. Do not leave an unsupervised computer logged on to the network.

### **Downloading and Sharing Software**

Users may not copy, download or share any type of copyrighted materials (including music or films) without the owner's permission. Users may not copy or download software without the express authorization of IT staff. This includes copying school-purchased software to your home computer. Software is protected by federal copyright law, which says that you can't make additional copies of software without the permission of the software publisher. Users should not download or attempt to download or run .exe programs over the school network without express permission from IT staff. You may be able to download other file types such as images or videos, provided they are allowed by fair use rules or permitted by author or a Creative Commons License. For the security of our network, download such files only from reputable sites, and only for educational purposes. Unauthorized copying or sharing of software (including video and music files), is illegal and may subject the copier to substantial civil and criminal penalties. The school district assumes no responsibility for copyright or licensing violations by students or staff.

### **Netiquette**

Users should always use the Internet, network resources, and online sites in a courteous and respectful manner. Users should recognize that among the valuable content online there is also unverified, incorrect, or inappropriate content. Users should only use trusted sources when conducting research via the Internet. Users should remember not to post anything online that they wouldn't want students, parents, teachers, or future colleges or employers to see. Once something is online, it's out there—and can sometimes be shared and spread in ways you never intended.

### **Plagiarism**

Plagiarism is the use of another person's words or ideas without acknowledging the source (by omitting to cite them) and is considered theft. When you pass off ideas, content, computer programs, images, or words from the internet, as your own, it is an act of lying and cheating. Online research needs to be appropriately cited, giving credit to the original author.

### **Personal Safety**

Users should never share personal information, including phone number, address, social security number, birthday, or financial information, over the Internet without adult permission. Users should recognize that communicating over the Internet brings anonymity and associated risks, and should carefully safeguard the personal information of themselves and others. Users should never agree to meet in real life someone they meet online without parental permission. If you see a message, comment, image, or anything else online that makes you concerned for your personal safety, bring it to the attention of an adult (teacher or staff if you're at school; parent or guardian if you're using the device at home) immediately.

NPS makes an attempt to protect private information but users who submit personal information online do so at their own risk.

## Cyberbullying

Cyberbullying will not be tolerated. Harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyberstalking are all examples of cyberbullying. Don't be mean. Don't send emails or post comments with the intent of scaring, hurting, or intimidating someone else. Engaging in these behaviors, or any online activities intended to harm (physically or emotionally) another person, will result in severe disciplinary action and loss of privileges. In some cases, cyberbullying can be a crime. Remember that your activities are monitored and retained. (*Reference: District Anti-Bullying Policy*)

## Social Media Policy

Social Media is defined as any form of publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, internet websites, internet forums and wikis. Examples of social media include, but are not limited to, Facebook, Twitter, YouTube, Google and Flickr (NYC Dept. of Education).

### Communication with Students and Parents

Newburyport employees who work with students and communicate with them through professional social media sites should follow these guidelines:

- a. Professional social media sites that are school based should be designed to address reasonable instructional, educational or extra-curricular program matters.
- b. Newburyport employees should treat social media space and communication like a classroom or professional workplace.
- c. Employees should exercise caution, sound judgement and common sense when using all social media.
- d. No personally identifiable student information may be posted on social media sites unless written permission has been signed by parents.
- e. No photographs or videos may be posted without the teacher's permission.
- f. Teachers will determine how best to communicate with parents via phone, email or social media.
- g. Each teacher will maintain a classroom website where general information may be found regarding instructional practice and classroom expectations. It is expected that websites will be updated throughout the year.

## Vandalism

Any verified acts of vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy a physical device, the data of another user, the NPS network, or other networks that are connected to our system through the Internet. This includes, but is not limited to, the uploading or creation of computer viruses.

## Privacy

Staff and students are given access to computers and the Internet to assist them in furthering the educational process. **Users should have no expectation of privacy in anything they create, store, send or receive using the district's computer equipment.** In addition the district, through its designees, reserves the right to monitor, examine, evaluate and disclose all aspects of the technology resources and their use.



NPS is committed to protecting private information of staff and students contained within emails or other online transmissions.

While we cannot guarantee the privacy or confidentiality of information within electronic documents, the following procedures will help to protect the privacy and confidentiality of such information.

1. Remember when sending emails regarding students to use ONLY the student identification numbers and the first initial of both their first and last name eg: John Smith would be J.S.#12345.
2. Remember when sending emails regarding staff to use ONLY the staff member's initials and job eg: John Smith teacher would be J.S. teacher.

Confidentiality rules apply, following FERPA regulations.

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>

### **Limitation of Liability**

NPS will not be responsible for damage or harm to persons, files, data, or hardware. While NPS employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness.

NPS will not be responsible, financially or otherwise, for unauthorized transactions conducted over the school network.

### **Violations of this Acceptable Use Policy**

Violations of this policy may have disciplinary repercussions, including:

- Suspension or termination of network, technology, or computer privileges;
- Notification to parents;
- Detention or suspension from school and school-related activities;
- Employment disciplinary action, up to and including termination of employment;

The NPS will provide staff with Internet guidelines and training and support in the appropriate and effective use of the internet. The school system will inform parents about Internet guidelines through the use of letters, school newsletters, and handbooks. Additionally, the NPS will continually evaluate tools and software which can potentially assist staff in implementing guidelines, effectiveness, manageability, and any cost for initial purchase and upgrades will be considered.

CROSS REF.: Plagiarism

Action	Date
First Reading	3/7/2016
Second Reading	6/9/2016
Adopted	6/9/2016
Updated	2/5/2018
Adopted	2/5/2018

## IJNDC: INTERNET PUBLICATION

### **I. PURPOSE**

The School District has established a district-wide web page that links users to web pages for the district's individual schools. The School District maintains these web pages for educational purposes only, in furtherance of the educational mission of the School District. All published pages and corresponding links to other sites must relate to the district's educational mission.

### **II. SUPERVISION AND APPROVAL OF WEB PAGES**

The Superintendent (or his/her designee) may select the person or persons ("the Webmaster") responsible for overseeing the school district's web pages and maintaining the web pages in a manner consistent with this policy and the school district's Access to Digital Resources Policy. The Webmaster must approve all links from the district web pages to other sites on the Internet. The Webmaster will review the links to ensure that the links are related to the district's educational mission.

Staff members may publish web pages related to their class projects or courses on their school's web site. Staff members must submit their material to the Webmaster for approval before the material can be published. Staff members may not publish or link to personal web pages as part of the school district web site.

Student or staff work (e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork) may be published on the district's web pages, as detailed below. All work that is published will be accompanied by a copyright notice written by the Webmaster that prohibits copying the work without the written consent of the copyright holder.

### **III. CONTENT STANDARDS**

All web page materials are expected to be accurate, grammatically correct and free of spelling errors. Student work may deviate from this standard depending upon the age and grade level of the student. Web pages should be well-organized and professional in appearance. Web pages must not contain copyrighted or trademarked material belonging to others unless written permission to display such material has been obtained from the owner and the owner is credited on the school's web page.

### **IV. SAFETY PRECAUTIONS**

#### **A. In general**

Identifying information about students, such as first and last names, personal phone numbers or home addresses, will not be published. First names or first names and the first letter of the student's last name may be used where appropriate.

#### **B. Student photographs**

- Student photographs may be published only with the written consent of the student's parent or guardian.
- Student photographs will not be accompanied by identifying information about the student(s).

#### **C. Student work**

Student work, e.g. voice, likeness, quotes, written material, musical pieces, and graphic or other artwork, may be published only with the written consent of the student's parent or guardian.

D. Staff photographs, identifying information and work

- Photographs of staff members, accompanied by the staff member's full name, may be published only with the staff member's written consent.
- Staff work, e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork, may be published only with the staff member's written consent.

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

## IJOA: FIELD TRIPS

Field trips can bring the school and the community closer together, which can result in real life experiences that enrich the curriculum for students and also bring about better public relations. The School Committee will also encourage field trips as an integral part of the instructional programs in the schools.

The Superintendent will establish regulations to assure that:

1. All students have parent/guardian permission for trips.
2. All trips are properly supervised.
3. All safety precautions are observed.
4. All trips contribute substantially to the educational program.
5. All trips allow student access without regard of family ability to pay.

All out-of-state or extended (overnight) trips and excursions, except those required for student participation in tournament competition or contests, must have advance approval of the School Committee. Fundraising activities for such trips will be subject to approval by the appropriate Administrator.

CROSS REF.:        JJH, Policy Relating to Field Trips Involving Late Night or Overnight Travel  
                         JJE, Student Fund-Raising Activities

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IJOB: COMMUNITY RESOURCE PERSONS/ SPEAKERS

Community resources are those individuals or groups who are invited into the schools to present supplementary information and ideas to the classroom course of study. These experiences afford students the opportunity to benefit from a community member's experience and viewpoints. Care should be taken in selecting these speakers so that they are individuals who respect diversity in thinking and varying views and who are not attempting to inappropriately influence points of view.

CROSS REF.: ADDA, Background Checks

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IJOC: SCHOOL VOLUNTEERS

It is the policy of the School Committee to encourage volunteer efforts in the schools. Parents/guardians, business representatives, senior citizens, and other community volunteers are recognized as important sources of support and expertise to enhance the instructional program and vital communication links with the community. The volunteer program will be coordinated in cooperation with building administrators.

CROSS REF.: ADDA, Background Checks

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IKAB: STUDENT PROGRESS REPORTS TO PARENTS/GUARDIANS

The School Committee recognizes the school's obligation to give periodic reports of a student's progress and grades. The School Committee further recognizes that these reports are a vital form of communication between the schools and parent/guardians. The School Committee also believes that all progress reports must be based upon full information, accurately and honestly reported with the proper maintenance of confidentiality.

A report depicting the student's progress will be issued periodically following an evaluation by the appropriate teacher, teachers, or other professional personnel.

In addition to the periodic reports, parent/guardians will be notified when a student's performance warrants attention.

Grading and promotion will be based on improvement, achievement, capability of the student, and the professional judgment of the teacher and Principal.

Major changes in the reporting system shall be preceded by a cooperative study and evaluation by teachers, principals, parent/guardians, and the Assistant Superintendent, who will submit the proposal to the School Committee for consideration and approval.

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IKE: PROMOTION AND RETENTION OF STUDENTS

The School Committee is dedicated to the best total and continuous development of each student enrolled. The professional staff is expected to place students at the grade level best suited to them academically, socially, and emotionally.

In evaluating student achievement, each teacher will make use of all available information, including results of teacher-made tests and other measures of skill and content mastery, standardized test results, and teacher observation of student performance. The Principal will direct and aid teachers in their evaluations and review grade assignments in order to ensure uniformity of evaluation standards.

Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the students involved. Exceptions will only be made after prior notification and explanation to each student's parents/guardians, but the final decision will rest with the building Principal.

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018



## IKF: GRADUATION REQUIREMENTS

In order to graduate from Newburyport High School, a student must have earned at least 95 credits and complied with all state accountability requirements. Course requirements are the following:

- Four years of English
- Three years of Mathematics including completion of Algebra II or an Integrated Math equivalent
- Three years of lab-based Science which may include technology/engineering
- Four years of History/Social Science including US History and World History
- Two years of World Language
- Four semesters of Physical Education
- Two semesters of the Arts

Other requirements may be established by the school administration in relation to the particular program, otherwise the additional credits needed for a graduation may be selected from among elective courses. For the total number of credits required please see the high school program of studies or student handbook.

### **Credit for Foreign Study:**

Students who are away for a term or year to participate in a student exchange program or otherwise study abroad may receive credits toward high school graduation when (1) study plans are approved by the school administration in advance; and (2) the institution where the study occurred submits a record of the student's work. In these instances, the Principal and student's guidance counselor will evaluate the work and assign credit for it according to standards prevailing in Newburyport High School.

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IL: EVALUATION OF INSTRUCTIONAL PROGRAMS

The School Committee considers comprehensive and objective evaluation of the effectiveness of the curriculum to be of primary importance. The Superintendent will provide for the translation of the stated instructional goals into objectives and for appraisal of their implementation in order to:

1. Determine educational needs and provide information for planning.
2. Indicate instructional strengths and weaknesses.
3. Check for bias and stereotyping.
4. Show the relationship between achievement and the system's stated goals.
5. Provide data for public information.

Elements of this evaluation process may include:

1. Testing programs such as nationally standardized general achievement tests, nationally standardized tests in specific subject areas, and tests administered by other agencies.
2. Study of school achievement records.
3. Study of students' high school and drop-out records.
4. Use of outside services, participation in regional research studies, contracted evaluation services; evaluation services at cost to the school system must be approved in advance by the School Committee.
5. Teacher and parent/guardian evaluation of student behavior.
6. State Dept. of Elementary and Secondary Education specialists and services.
7. Evaluation by the regional accrediting association.
8. Evaluation by other agencies.

An evaluation of the curriculum and its effectiveness will be made periodically and reported to the School Committee by the Superintendent.

### Version Control

Action	Date
First Reading	12/18/2017
Second Reading	2/5/2018
Adopted	2/5/2018

IMA: TEACHING ACTIVITIES/PRESENTATIONS [DELETED]

## IMB: TEACHING ABOUT CONTROVERSIAL ISSUES/CONTROVERSIAL SPEAKERS

An important goal of the schools is to help prepare students for intelligent and conscientious participation as citizens in our democratic society. One step toward meeting this goal is to introduce students to reasoned and dispassionate approaches to the analysis of contemporary social and political issues. To insure that these issues can be examined in an atmosphere as free from emotion and prejudice as the times permit, the School Committee establishes the following guidelines for discussion of controversial issues in the schools.

### Teacher-Planned Classroom Discussions

1. Controversial issues selected by teachers for classroom discussion must relate directly to the objectives and content of courses approved by the School Committee for inclusion in the curriculum.
2. The teachers' right to introduce controversial issues in classroom presentations does not include the right of advocacy. Teachers must refrain from using their positions to express partisan points of view.
3. The approach to discussion of these issues in the classroom must be objective and scholarly with minimum emphasis on opinion and maximum emphasis on intelligent analysis.
4. Teachers must ensure that the reasoned arguments of all sides of an issue are given equal presentation and emphasis in classroom discussions.
5. Teachers may invite visitors from outside the schools to give presentations on controversial issues when the visitors offer qualifications and resources not available in the schools. All visitors are to be guided by the standards of language usage that prevail in the classrooms and by the standards of scholarly inquiry set forth above. Whenever possible, teachers who invite visitors to present one side of an issue will also invite visitors to present the other side(s).
6. In all cases teachers must obtain from the appropriate Principal permission to invite visitors for classroom presentations. Permission must be requested at least 48 hours before the scheduled time of presentation.

### Student-Initiated Forums on Controversial Issues

Student groups may request permission to conduct forums on controversial issues in the schools. The Principal may grant such requests under the following conditions:

1. Preparation for presentation of a forum will not cause any student or teacher to miss class and will not cause the cancellation of any class.
2. Adequate advance planning must be conducted for each forum. A request to hold a forum must be received by the Principal at least three weeks before the scheduled date of presentation. For each request the Principal will appoint, after consultation with the requesting student group, an adult advisory group consisting of at least two parents and two faculty members.
3. The standards for approach to discussion, style of presentation, and use of visitors as defined above will apply to student-initiated forums.

### Requests from Groups or Individuals Outside the Schools

No permission will be granted to non-school groups or individuals to make presentations on controversial issues in the schools during school hours. Requests for after-school or evening use will be processed in accordance with the School Committee's policy on community use of school facilities.

No permission will be granted to outsiders for distribution of literature on controversial issues to students in general or to class groups.

A Principal may grant an outside group or individual permission to post one notice of a public meeting for discussion of issues if the language of that notice conforms to the standards that prevail in the community. The Principal will determine the appropriate bulletin board for such notices.

CROSS REF.: IJOB, Community Resource Persons/Speakers

**Adopted: February 5, 2018**

**Revised: November 20, 2023**

## IMD: SCHOOL CEREMONIES AND OBSERVANCES

The United States Constitution and the Constitution of the State of Massachusetts and related court rulings clearly establish the concept of "church and state separation" and the "preclusion of sectarian instruction in public schools."

In order to help staff members abide by the spirit and letter of the law, and to avoid compromising anyone's religious or conscientious beliefs or freedoms, the following guidelines have been established:

The observance of religious holidays is not the responsibility of the public schools.

While it is recognized that many activities are initiated with the approach of major holidays in order to capitalize on the readiness and interest that is generated at these times, it should be understood that such occasions frequently have religious underpinnings. Care should be taken to relate only to secular aspects of these holidays.

Music programs given at times close to religious holidays should not use religious aspect of these holidays as the underlying motive or theme. Although religious music is appropriate in the schools to the extent that it is sung or presented for musical rather than religious content, its use should not violate the secular nature of the school. Pageants, plays, recitals, and other literary or dramatic activities should not be used to convey religious messages. While the holidays represent a valid source of ideas for meaningful school art experiences, teachers should avoid assigning or encouraging art work that promotes religious aspects of such holidays. If, however, individual students choose to use a religious personage, event, or symbol as the vehicle for an artistic expression, they should be allowed to take this action.

The above statements should not be interpreted to preclude the factual and objective teaching about religions, religious holidays, and religious differences. Such instruction will be permitted in the schools since insights in this area can enhance the mutual understanding needed by all the people in a pluralistic society.

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## IMG: ANIMALS IN SCHOOL

No animal shall be brought to school without prior permission of the building Principal.

The School District is committed to providing a high quality educational program to all students in a safe and healthy environment.

School Principals, in consultation with the Health Services Providers in each building, shall utilize the Department of Public Health publication "Guidelines for Animals in Schools or on School Grounds" and review student health records to determine which animals may be allowed in the school building. The decision of the Principal shall be final.

### **Educational Program**

Use of animals to achieve specific curriculum objectives may be allowed by the building Principal provided student health and safety is not jeopardized and the individual requesting that the animal be brought to school is responsible for adhering to the "Guidelines for Animals in Schools or on School Grounds" and any other conditions established by the Principal to protect the health and well-being of students.

### **Student Health**

The health and well-being of students is the District's highest priority. Animals may cause an allergic reaction or otherwise impair the health of students. No animals may be brought to school or kept in the school, classroom, office or common area that may negatively impact the health of any student who must utilize that area. Animals that cause an allergic reaction or impair the health of students shall be removed from the school immediately so that no student shall have his/her health impaired and each student shall have full access to available educational opportunities.

### **Animals Prohibited from School**

Rabies is a growing problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. Based on the Massachusetts Departments of Health and Education recommendations the following animals are prohibited from schools within the School District.

- **Wild Animals and Domestic Stray Animals** - Because of the high incidence of rabies in bats, raccoons, skunks, foxes and other wild carnivores, these animals should not be permitted in school buildings under any circumstances (including dead animals).
- **Fur-Bearing Animals (pet dogs,\* cats, wolf-hybrids, ferrets, etc.,)** - These animals may pose a risk for transmitting rabies, as well as parasites, fleas, other diseases and injuries.
- **Bats** - Bats pose a high risk for transmitting rabies. Bat houses should not be installed on school grounds and bats should not be brought into the school building.
- **Poisonous Animals** - Spiders, venomous insects and poisonous snakes, reptiles and lizards are prohibited for safety reasons.

**\*Exception: Guide, Hearing and Other Service Dogs or Law Enforcement Dogs** - These animals may be allowed in school or on school grounds with proof of current rabies vaccination.

Exceptions may be made with the prior approval of the Superintendent of Schools.

### **Service Animals (Guide or Assistance Dogs)**

The School Committee does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with Massachusetts law concerning the rights of persons with guide or assistance dogs and with federal law and will permit such animals on school premises and on school transportation.

For purposes of this policy, a "service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability." The regulations further state that "a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability."

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that:

- assist individuals who are blind or have severe sight impairments as "seeing eye dogs" or "guide dogs;"
- alert individuals with hearing impairments to sounds;
- pull wheelchairs or carry and pick-up items for individuals with mobility impairments
- assist mobility-impaired individuals with balance.
- Provide emotional support as prescribed by a mental health professional.

The District shall not assume or take custody or control of, or responsibility for, any service animal or the care or feeding thereof. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal can also be excluded if it presents a direct and immediate threat to others in the school. The parent or guardian of the student having custody and control of the animal will be required to remove the service animal from District premises immediately.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by the Building Principal or designee and an alternative plan will be developed with appropriate District staff. Such plan could include the reassignment of the person having custody and control of the animal to a different classroom. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, District, and transportation staff including the involvement of the parents/guardian of the student.



When a student will be accompanied by a service animal at school or in other District facilities on a regular basis, such staff member or such student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal will be required to sign a document stating that they have read and understood the foregoing.

The Superintendent of Schools or his/her designee shall be responsible for developing procedures to accommodate a student's use of an assistance animal in District facilities and on school transportation vehicles.

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