

PERSONNEL GOALS

The District's specific personnel goals are:

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

LEGAL REF: 603 CMR 26:08 paragraph 3,7,8,9

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

EQUAL EMPLOYMENT OPPORTUNITY

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

LEGAL REF: 603 CMR 26:08

REC'D: NESDEC

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Adoption: October 5, 2005

Proposed reconsideration:

SEXUAL HARASSMENT

It is the goal of the Milton School Committee and the Milton Public Schools to promote a school environment and workplace that is free of sexual harassment. Sexual harassment is unlawful, and will not be tolerated by the Milton Public Schools. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.

Because the Milton Public Schools take allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

While this policy – which applies to all employees of and students in the Milton Public Schools – sets forth the Milton School Committee's goals of promoting an environment that is free of sexual harassment, the policy is not designed nor intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfied the definition of harassment.

Definition of sexual harassment

In Massachusetts, the legal definition of sexual harassment is:

Sexual harassment means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of, or as a basis for, employment or instruction or participation in schools activities or programs; or,
- b) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

Similarly, any case in which submission to or rejection of such conduct by an individual is used by the offender as the basis for making personal or academic decisions constitutes sexual harassment.

The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating to male or female workers or students – whether those outcomes are intended or not – may also constitute sexual harassment.

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

- Unwelcome sexual advances, whether or not they involve physical touching;
- 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, or 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.

As stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful, and will not be tolerated by the Milton Public Schools.

Effects of sexual harassment

In school, sexual harassment can affect a student's academic progress, self-esteem, extracurricular involvement, and social relationships. If sexual harassment is permitted to occur unchecked in schools, this may create a school climate detrimental to learning for all students. In such schools, students may not feel safe; they may not feel free to fully participate in classes and school activities, and they may not feel valued as members of their school community. Such a climate can lead to more serious offenses. Therefore:

1. It is the policy of the Milton Public Schools to provide a learning and working atmosphere for students, employees, and visitors which is free from sexual harassment.
2. It is a violation of this policy for any administrator, teacher, or other employee, or any student, to engage in or condone sexual harassment.
3. It is the responsibility of every employee to recognize acts of sexual harassment, and to take every action necessary to ensure that the applicable policies and procedures of this school district are implemented.
4. Any employee or student who believes that he or she has been subjected to sexual harassment has the right to file a complaint and to receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and to protect the privacy of all parties.
5. The building principal/designee (see below) shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to sexual harassment or inappropriate behavior of a sexual nature.

Complaint / investigation procedure

In school systems, sexual harassment may cross many lines, and may involve staff member and staff member, staff member and student, student and staff member, or student and student.

Any person who believes that a student, teacher, administrator, or other school personnel has engaged in conduct prohibited by this policy, whether such conduct has been directed at him/her or some other person, should report the alleged prohibited conduct as soon as possible to the appropriate school district official (as designated by this policy) either

verbally or in writing. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different individual than the one designated in this policy.

In the Milton Public Schools, the Assistant Superintendent for Curriculum and Personnel is designated as the Title IX officer, with responsibility to oversee the implementation of this policy.

In each school, the school Principal or Assistant Principal is the person responsible for receiving and investigating oral or written reports of alleged sexual harassment. If the report involves the building Principal, the report should be made to, or filed directly with, the Superintendent. If the report involves the Title IX officer, the report should be made to, or filed directly with, the Superintendent. If the report involves the Superintendent, the report should be made to, or filed directly with, the chairperson of the Milton School Committee.

Upon receipt of a report or complaint of alleged sexual harassment, the designated school administrator shall initiate a timely investigation of the circumstances. The investigation may consist of personal interviews with the complainant(s), the individual(s) against whom the complaint is filed, and others who have knowledge of the alleged incident(s) or circumstance(s) giving rise to the complaint. The investigation may also consist of other methods deemed pertinent by the school administrator.

When the investigation is completed to the extent appropriate, the school administrator shall inform the person filing the report or complaint, as well as the person alleged to have committed the offending conduct, the results of the investigation in writing.

Upon completion of an investigation, if it is determined that inappropriate conduct has occurred, the Milton Public Schools will take appropriate corrective action under the circumstances. Such action may include, but is not limited to, counseling, direction to stop the behavior in question, suspension, expulsion, transfer, termination of employment, or other such forms of disciplinary action as are appropriate.

Upon completion of an investigation, if a complaint or report is not substantiated, the school district shall so inform the person filing the complaint or report, as well as the person alleged to have committed the offending conduct, of the results of the investigation.

To the extent permitted, all reasonable efforts shall be made to maintain confidentiality during an investigation.

Persons wishing to file a complaint may do so by contacting:

Central Office/School Committee

Superintendent - 696-4809

Chairman, Milton School Committee - 696-4809

Assistant Superintendent and Title IX officer - 696-4812

Milton High School:

Principal-696-4470

Vice-Principal- 696-4477

Vice-Principal- 696-4472

Pierce Middle School:

Principal- 696-4569
Assistant Principal- 696-4568
Assistant Principal- 696-4568

Collicot School:

Principal - 696-4283
Assistant Principal - 696-4283
Assistant Principal- 494-4283

Cunningham School:

Principal- 696-4286
Assistant Principal- 696-4286
Assistant Principal- 696-4286

Glover School:

Principal - 696-4289
Assistant Principal- 696-4289

Tucker School:

Principal- 696-4291
Assistant Principal- 696-4291

Retaliation

Retaliation in any form against any person who reports an alleged violation of this policy, or against any person who assists or participates in any way in an investigation is forbidden. An individual who retaliates in the above manner will be subject to discipline, which may include suspension, expulsion, transfer, termination of employment and other such forms of disciplinary action as are appropriate.

Confidentiality

All reasonable efforts shall be made to:

1. Maintain confidentiality with the goal of protecting the victim(s)
2. Identify the inappropriate behavior
3. Stop the behavior
4. End the hostile environment

State and Federal Remedies

If an individual believes that he or she has been subjected to or made aware of an incidence of sexual harassment, he or she- in addition to the above remedies - may also file a formal complaint with any or all of the government agencies set forth below. Note that these agencies may have a short time period for filing a claim:

1. The United States Equal Employment Opportunity Commission (EEOC), 1 Congress Street, 10th floor, Boston, MA 02114. (617)565-3200
2. Office for Civil Rights (U.S. Department of Education), 222 John W. McCormack Post Office and Courthouse, Boston, MA 02109. (617) 223-9662

3. The Massachusetts Commission Against Discrimination (MCAD), 1 Ashburton Place, Room 601, Boston, MA 02108. (617)727-3990.

LEGAL REFERENCES: Title VII, Section 703, Civil Rights Act of 1964 as amended 45
Federal Regulation 74676 issued by EEO Commission
Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX)
Board of Education 603 CMR 26:00

CROSS REFERENCE: A-15 Sexual harassment

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2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

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. 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 Chair authorization.

CROSS REF: B-28 School Committee/staff communications

Original adoption: April 1998
1st Reading: September 6, 2005
2nd Reading: October 5, 2005
Adoption: October 5, 2005
Proposed reconsideration:

STAFF ETHICS/CONFLICT OF INTEREST

Staff Ethics

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, co-workers and officials of the school system. Grievances and complaints should be brought for remedy to the proper school authorities and not aired in public. The administration will welcome constructive suggestions and implement them when possible.

Grievance procedures for particular groups of employees are spelled out in their contracts with the School Committee (see also GBK.) However, any employee or group of employees of the school department, having a grievance may first discuss the problem with the Principal; secondly if dissatisfied with the action at this level, he/she may ask to meet with the Superintendent or his/her designee, and then if desired write a letter to the School Committee, stating the grievance, and as a final step meet with the School Committee in executive session.

Conflict of Interest

Employees of the School Committee will not engage in, or have a financial interest in, any activity that raises a reasonable question of conflict of interest with their duties and responsibilities as members of the school staff. This includes but is not limited to:

1. Employees will not participate for financial remuneration in outside activities wherein their position on the staff is used to sell goods or services to pupils or their parents;
2. Employees who have patented or copyrighted any device, publication, or other such item will not receive royalties for use of such item in the district schools;
3. Employees will not engage in any type of work where the source of information concerning customer, client, or employer originates from information obtained through the Milton Public Schools;
4. School employees will not solicit or sell for personal gain any educational materials or equipment in the Town of Milton. Nor will any employees make available lists of names of students or parents to anyone for sales purposes; and
5. The district will not purchase supplies or materials from a staff member of the Milton Public Schools, or from a member of the household of the staff member.

To avoid nepotism in the supervision of personnel, the School Committee directs that no employee be assigned in any position where the employee would be responsible to a member of the immediate family of the employee as that term is defined in Section 1 of Chapter 268A of the MGL.

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that no employee shall be hired who is a member of the immediate family of any member of the School Committee or who is a member of the immediate family of any administrator of the school district. This provision will not affect anyone currently employed in the Milton Public Schools who may be a member of the immediate family of either a School Committee member or an administrator but no promotions or hiring in the future will be exempt from this provision.

CROSS REF: Collective Bargaining agreements; MGL 268A

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Proposed reconsideration:

STAFF CONDUCT

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

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

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

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

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

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

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Proposed reconsideration:

WHISTLEBLOWER POLICY

This policy is adopted pursuant to and in accordance with the Massachusetts Whistleblower Protection Act, Chapter 149, Section 185 of the Massachusetts General Laws, (the "Act") and is designed specifically to protect such conduct and provide such remedies as are set forth in the Act.

It is the policy of the Milton Public Schools:

- a. To encourage the reporting by its employees of improper governmental action taken by the Milton Public Schools administration or employees; and
- b. To protect the Milton Public Schools employees who have reported improper government action in accordance with this policy.
- c. The words "improper governmental action" in this policy mean an activity, policy or practice of the Milton School Department, or of another employer with whom the Milton Public Schools has a business relationship, that the employee reasonably believes is in violation of law, or a rule or regulation promulgated pursuant to law, or which the employee reasonably believes poses a risk to public health, safety or the environment.

The Milton Public Schools encourages the reporting of improper governmental action taken by any Milton Public Schools officers or employees, and the reporting of retaliatory actions for such reporting. The Milton Public Schools encourages initial reporting to the Milton Public Schools to allow for expeditious resolution of all such matters and to minimize any adverse impacts of the improper governmental action. This policy states the Milton Public Schools' procedures for reporting improper governmental action and for protecting employees against retaliatory actions.

Milton Public Schools employees who obtain knowledge of facts demonstrating improper governmental actions should raise the issue first with their supervisor or the Superintendent of Schools or his/her designee ("the School Superintendent/designee"). The employee shall submit a written report stating in detail the basis for the employee's belief that an improper governmental action has occurred.

In the case of an emergency, the employee may, orally or in writing, report the improper governmental action directly to a person or entity who is not the person's supervisor or the School Superintendent/designee. In all other cases, the employee must first follow the reporting procedure outlined above.

An employee is not required to comply with the above procedure if he/she:

- a. is reasonably certain that the activity, policy or practice is known to one or more supervisors of the employer and the situation is emergency in nature;
- b. reasonably fears physical harm as a result of the disclosure provided; or
- c. makes the disclosure to a public body for the purpose of providing evidence of what the employee reasonably believes to be a crime. The words "public body" in this context mean any federal, state or local judiciary, or any employee or member thereof, or any grand or petit jury; or any federal, state or local law enforcement agency, prosecutorial office, or police or peace officer.

Milton Public Schools employees who fail to make a good-faith attempt to follow this policy in reporting improper governmental action shall not receive the protections provided under

this policy or the Act. Milton Public Schools employees who make false reports may be subject to applicable disciplinary procedures.

The supervisor or the School Superintendent/designee, as the case may be, shall take prompt action to assist the Milton Public Schools in properly investigating the report of improper governmental action. Milton Public Schools officials, administrators, supervisors, and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under the law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of the summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

Milton Public Schools officials, administrators, supervisors and employees are prohibited from taking retaliatory action against a Milton Public Schools employee because he or she has in good faith reported an improper governmental action in accordance with this policy; or provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into an improper governmental activity; or objects to, or refuses to participate in any improper governmental activity.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise in writing their supervisor or the School Superintendent/designee. Milton Public Schools officials, administrators and supervisors shall take appropriate action to investigate and address complaints of retaliation.

The School Superintendent/designee is responsible for implementing the School Department's policies and procedures: (1) for reporting improper governmental actions, and (2) for protecting employees against retaliatory actions. This includes insuring that this policy is permanently posted where all employees will have reasonable access to it and that this policy is made available to any employee upon request. The Milton School Department will, to the extent it considers practical, provide training and education on the Whistleblower Policy. The School Superintendent and supervisors are responsible for insuring that this policy is fully implemented within their areas of responsibility. Violations of this policy may result in appropriate disciplinary action, up to and including dismissal.

Any employee who is aggrieved by a violation of this policy shall have the applicable remedies available by law in addition to any remedies provided under this policy.

Nothing in this policy is intended to limit any other remedy which an employee may have under any other applicable law.

Originally adopted June 22, 2004 (C-12)

Original adoption:

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2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

TEACHER-STUDENT RELATIONS

The School Committee accepts the principle that the relationship between teacher and student should be one of cooperation, understanding, and mutual respect. As the director of learning experiences within the classroom and school environment, as well as within the community, the teacher is expected to exercise good interpersonal relationships with the students, to accept each as an individual, and to extend a feeling of friendship and respect to all.

This must be done exercising good and sound judgment and appropriate behavior. For example, teachers must not engage in conduct unbecoming a teacher or adult.

Taking a sincere and appropriate professional interest in an individual student can be commendable in appropriate circumstances, provided partiality and the appearance of partiality are avoided. The teacher who inspires, guides, and helps can have lasting influence on students throughout their lives. But such teacher-pupil friendships must be on a teacher-pupil basis.

Inappropriate and or excessive formal or informal social or other involvement with individual students and “pal-like” relationships give rise to charges and concerns of excessive and inappropriate personal involvement and unethical conduct. Such conduct is not compatible with professional teacher ethics, and inappropriate teacher conduct shall not be condoned. Such conduct will result in appropriate disciplinary and / or other administrative action, including but not limited to suspension, administrative leave, demotion and termination. It is not the policy of the Town of Milton to have or permit such a custom, policy or practice.

As an example, and by no means the only prohibited conduct, teachers are specifically prohibited from taking students or being in the company of such students on day-trips, overnight or out-of-state school or non-school trips without the express written consent of parents/guardians. In all situations involving students, especially situations outside of the classroom or school environment, teachers must be aware of and respect, where appropriate, the desires and concerns of both parents and / or guardians of a student. Teachers must be cognizant of the role they play in society and how their presence at an event or activity may reflect on themselves, the Milton Public Schools and the teaching profession.

RECOMMENDED: NESDEC

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Proposed reconsideration:

STAFF GIFTS AND SOLICITATIONS

Gifts

Teachers and other employees of the School Committee will not accept gifts from students except as such gifts represent tokens. Even token gift-giving is not to be encouraged. The Committee considers as more welcome and more appropriate the writing of letters by students to staff members to express gratitude and appreciation. This policy is to be made clear at the beginning of the holiday season and before the end of the year so that gifts will be discouraged.

Individual employees will refrain from giving gifts to staff members who exercise administrative or supervisory jurisdiction over them, either directly or indirectly. Generally, the collection of money for group gifts will be discouraged except in special circumstances such as bereavement, serious illness, or for mentors at retirement.

All employees of the School Committee are prohibited from accepting things of material value from companies or organizations doing business with the Milton Public Schools. Exceptions to this policy are the acceptance of minor items which are generally distributed by the companies through public relations programs.

Solicitations

No organization may solicit funds of staff members within the schools, nor may anyone distribute flyers or other material related to fund drives through the schools, without the approval of the Superintendent. Staff members will not be made responsible, nor will they assume responsibility for, the collection of any money or distribution of any fund drive literature within the schools unless such activity has the Superintendent's approval. The School Committee expects such activities to be kept to a minimum. The Superintendent shall seek direction from the School Committee in instances where prior practice offers no guidance about a particular fund drive.

REC'D: NESDEC

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Proposed reconsideration:

DRUG-FREE WORKPLACE POLICY

The Milton Public Schools 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 Milton Public Schools workplace and specify the actions that could 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 Milton Public Schools policy of maintaining a drug-free work-place; and available drug counseling, rehabilitation, and employee assistance programs; and the penalty that could 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 Milton public Schools 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; and
7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

LEGAL REFS: The Drug-Free Workplace Act of 1988

CROSS REFS: JICH

REC'D: NESDEC

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Adoption: October 5, 2005

Proposed reconsideration:

TOBACCO-FREE SCHOOL POLICY

1. Statement of Purpose:

The School Committee is committed to providing a tobacco-free environment for the health and well being of the entire school community – students, staff, and visitors to its facilities. Education about the consequences of tobacco use is an integral part of the Milton Public Schools Health Curriculum. The use of tobacco products has a direct link to numerous health problems. Tobacco prevention and education play critical roles in establishing life-long, positive health habits. The purpose of this policy is to comply with the requirements of the Massachusetts General Laws, Chapter 71, Sections 2A and 37H. It is the intention of the School Committee to prohibit the use or distribution of tobacco products at all times whether or not school is in session within school buildings, on school grounds, on school buses or in other school vehicles, and at all school-sponsored activities in order to improve the health of students, all school personnel and visitors.

2. Definitions:

School: All school buildings that are a part of the Milton Public Schools.

School Grounds: Property owned or controlled by the Milton Public Schools, including but not limited to school buildings, structures, open space, sports or recreational facilities whether enclosed or not, vehicles owned or leased by the for the purpose of transporting students, school driveways, and school parking lots.

School Personnel: A person who performs services for the Milton Public Schools, including but not limited to administrators, teachers, teacher’s aides, school counselors, coaches, assistant coaches, school nurses and therapists, cafeteria workers, administrative staff, janitorial staff, volunteers, interns, security guards.

School-sponsored Activity: An activity at least partially funded or controlled by the Milton Public Schools or the parent-teacher organization to which students are invited and which occurs on or off school grounds, such as, but not limited to, graduation, sporting events, work internships, job shadowing, dances, field trips or class picnic, etc.

Student: A person enrolled in the Milton Public Schools.

Tobacco products: Cigarettes, cigars, pipe tobacco, chewing tobacco, snuff or tobacco in any of its forms or any product containing tobacco.

Tobacco paraphernalia: Shall include, but is not limited to products or materials of any kind which are intended or designed for producing, processing or using tobacco products, including rolling papers and lighters.

Tobacco Use: The inhaling, exhaling or consuming of any lit or unlit tobacco product or carrying of any lit tobacco product; also, the possession by a student on school grounds of a tobacco product.

Visitor: Any person on school grounds who is not a student or staff member. Examples include repair or delivery personnel, security personnel, presenters, consultants, students or staff from other schools, parents, outside facility users.

3. Tobacco Product Use Prohibited: No student, school personnel or visitor shall use a tobacco product at any time while on school grounds, on school buses or other school vehicles, or at a school-sponsored activity as defined herein.

4. Violations:

The following is the policy to be followed regarding violations of this policy. In appropriate circumstances, additional sanctions or remedies may be used. Nothing contained herein shall operate to limit the authority of any person or the sanctions that may otherwise be imposed by law for violating this policy or the law. Please refer to student handbooks.

Visitors

- Announcers at all events will remind the public that the Milton Public Schools is a tobacco-free environment and that schools are required by law to keep school premises tobacco free. Visitors who are observed smoking or using tobacco products on school property shall be referred to a school administrator, a site administrator or a police officer.

5. Severability:

If any provision of this policy is declared invalid or unenforceable, the other provisions shall not be affected thereby, but shall continue in full force and effect.

6. Conflict with Other Policies, Laws or Regulations:

Notwithstanding the provisions of this policy, nothing in this policy shall be deemed to amend or repeal applicable fire, health or other laws or regulations so as to permit smoking in areas where it is prohibited by such fire, health or other laws or regulations.

LEGAL REF: M.G.L. 71:2A
M.G.L. 71:37H

CROSS REF: JICG and KF
Student Handbooks
Faculty Guide

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

STAFF PERSONAL SECURITY AND SAFETY

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

Prior to employment in the Milton Public Schools, all employees will submit evidence of freedom from tuberculosis, as specified by state law. Prospective candidates who will be taking the written examination for a teaching position must also file with the Superintendent's office a record of having passed a physical examination taken not more than 90 days prior to the date of the written examination. Additional physical examinations will also be required of bus drivers and food handlers as law or state regulations require.

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

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

REC'D: NESDEC

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Proposed reconsideration:

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The School Committee recognizes that employees of the Milton Public Schools have the same fundamental civic responsibilities and privileges as other citizens. These responsibilities and privileges include campaigning for an elective public office and holding an elective or appointive office.

In connection with campaigning, an employee will not: use Milton Public Schools facilities, equipment or supplies; discuss his/her campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Under no circumstances, will students be pressured into campaigning for any staff member or for any candidate for elective office or appointive office.

Leave of absence for the purpose of engaging in political activities shall be considered in accordance with established policies and contracts.

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

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Proposed reconsideration:

PERSONNEL RECORDS

Information about staff members is required for the daily administration of the Milton Public Schools, 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 his/her own personnel file;
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include his/her written response in the file; and
6. Lists of Milton Public Schools 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 Teachers' Agreement

CONTRACT REF: All Contract Agreements

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

STAFF COMPLAINTS AND GRIEVANCES

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

It is the 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.

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 or his/her designee;
2. That all school employees may appeal a ruling of the Superintendent to the School Committee; and
3. That all hearings of complaints before the Superintendent or School Committee be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

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

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

CONTACT REFS: All Contract Agreements

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF POSITIONS

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF SALARY SCHEDULESTeachers

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

Principals

Every principal shall have the opportunity to meet and discuss the terms and conditions of his/her employment with the Superintendent. Written contracts for individual principals shall be for terms of up to three (3) years in length. 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.

Administrators

The School Committee will adopt a salary schedule for administrators as part of the contract negotiated with Unit B of the Milton Educators Association. The schedule will be designed to recognize and reward training and experience and encourage additional study for professional advancement.

LEGAL REFS: M.G.L. 71:40; 71:41; 71:43

CONTRACT REF: Teachers' Agreement

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

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 will be rewarded with extra compensation.

The Committee will designate assignments that are to be accorded extra compensation. 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 negotiated between the Milton School Committee and the Milton Educators Association and defined in the collective bargaining agreements.

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 offered such supplementary pay assignment for the following school year, the teacher shall be notified of that fact in writing prior to the expiration of the school year. Upon termination of the assignment, the supplementary pay will cease.

LEGAL REF: Collective Bargaining Agreement

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF LEAVES AND ABSENCES

Applications for professional staff leaves and absences may be granted in accordance with the recognized collective bargaining agreements, provided there is no undue hardship placed on the educational or financial systems.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF FAMILY AND MEDICAL LEAVE

The Milton Public Schools 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, regulations setting forth the rights and procedures granted by the Act, and shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal oversight and delegation.

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF VACATIONS AND HOLIDAYS

Vacations

Parameters for vacations for all principals will be established by the Committee and delineated in their individual contracts.

Parameters for vacations for other administrators and professional staff members who are members of a recognized bargaining unit will be established through negotiations.

Parameters for vacations for supervisory personnel not in bargaining units will be established by the Committee and delineated in their individual contracts.

Holidays

Professional staff members will not be required to work on legal holidays. Holidays for the professional staff will be established when the School Committee approves the calendar for the school year and will include all legal holidays.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

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 Milton Public Schools, 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. The School Committee must approve any recommendations for the creation or elimination of a position.

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 diverse backgrounds.

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

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

CONTRACT REFS: Collective Bargaining Agreements

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF HIRING

Through its employment policies, the Milton Public Schools will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will be based upon the hiring of candidates who will devote themselves to the education and welfare of the children attending the Milton Public Schools.

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

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

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

1. There will be no discrimination in the hiring process due to age, sex, creed, race, color, national origin, disability, sexual orientation or place of residence;
2. Attention will be given to staff diversity;
3. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience;
4. The administrator responsible for the hiring of staff members for school system-wide positions, and for the position of Principal, is the Superintendent. The administrator responsible for building based personnel is the Principal, subject to the approval of the Superintendent. The administrator responsible for hiring 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.

LEGAL REFS: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45; 71:59B
 Massachusetts Board of Education Requirements for
 Certification of Teachers, Principals, Supervisors,
 Directors, Superintendents and Assistant Superintendents in the Public
 Schools of the Commonwealth of Massachusetts, revised 1994
 603 CMR 7:00 and 44:00

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Part-Time Teachers

Teachers may be employed on a part-time basis. The salary of part time teachers will bear the same ratio to of the salary that the teacher would earn if employed full-time as the hours worked bear to the hours the teacher would work if employed full-time. (For example, a teacher employed for half the number of hours would receive half the salary of a full-time teacher).

Substitute Teachers

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

The Milton Public Schools will employ as substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments and will assign substitute teachers 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. Although the substitute may be covering for a teacher who typically teaches a five (5) period day, there is no reason why that person cannot be scheduled to cover all seven (7) periods during the day. Substitutes should not be paid the daily wage and then paid extra for as much as two additional coverages or non-instructional duties such as lunchroom and playground services. The substitutes will be granted such additional benefits as approved by the School Committee.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF ORIENTATION

The School Committee recognizes that an appropriate orientation program can aid in the assimilation of new staff members into the Milton Public Schools and can also contribute to the continued growth of returning personnel. It will, therefore, be the responsibility of the Superintendent, or his/her designee, to provide for an annual orientation of all professional staff members.

The orientation of returning personnel will focus upon the changes that have occurred during the previous year and the general goals for the coming year.

Orientation of personnel new to the Milton Public Schools may extend over a longer period of time and will provide a broadly based effort to supply information and background details which will improve the new teacher's understanding of the district's framework, including policies of the Committee, rules and regulations, and the instructional program.

The building Principal or the immediate supervisor shall orient all teachers to the evaluation procedures and standards during the first two weeks of their assignment to their respective building or program. No formal observations shall take place until such orientation has been completed.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PHILOSOPHY OF STAFF DEVELOPMENT

All staff members will be encouraged to participate 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 Milton Public Schools from time to time; these may include participation by outside consultants;
2. Membership on curriculum development committees drawing personnel from within and without the Milton Public Schools;
3. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings; and
4. Leaves of absence for graduate study, research, and travel.

The Superintendent will have authority to approve or deny released time for conferences and visitations, and reimbursements for expenses, provided such activities are within budget allocations for the purpose.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL TEACHER STATUS

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

At the end of each of the first three years of a teacher's employment, it will be the responsibility of the Superintendent to notify each employee promptly in writing of the decision on reappointment. Notification to a teacher not being reappointed must be made by June 15 or at an earlier date if required by a collective bargaining agreement. Notice of non-renewal should be signed by both the Superintendent and the Principal, delivered in-hand by the Principal and signed by the employee to acknowledge receipt.

A teacher who attains professional teacher status will not be subject to the provisions of the foregoing paragraph. A teacher with professional teacher status whose position is abolished by the School Committee may be continued in the employ of the Milton Public Schools in another position for which he or she is legally qualified.

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

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 effective teachers.

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

CONTRACT REF: Collective bargaining agreement

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL STAFF TIME SCHEDULESAdministrators

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

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

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

Teachers

The working day for teachers will be determined by the negotiated collective bargaining agreement with the Milton Educators Association. Exceptions to the after-school time requirements may be permitted, however, on days preceding weekends, holidays, and vacation periods.

Every effort will be made by the administration to provide a uniform workday for teachers at the various levels.

The working year for teachers will be established in connection with the Committee's adoption of the school calendar and the negotiated collective bargaining agreement with the Milton Educators Association.

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

CONTRACT REF: Collective bargaining agreements

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

EVALUATION OF PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the schools, a continuous program for teacher and administrator evaluation will be established by the School Committee.

Evaluation of administrators and professional staff members who are members of a recognized bargaining unit will be established through negotiations. Evaluations of professional staff members not in bargaining units will be established by the School Committee and delineated in their individual contracts.

CONTRACT REF: Collective bargaining agreement

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

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

REDUCTION IN INSTRUCTIONAL STAFF WORK FORCE

In the event it becomes necessary to reduce the number of instructional staff members, the procedures negotiated between the Milton Educators Association and the School Committee will be followed.

The Milton Public Schools will follow all of the requirements of the law in terminating teachers in order to reduce staff.

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

CONTRACT REF: Collective Bargaining Agreements

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

RESIGNATION OF PROFESSIONAL STAFF MEMBERS

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

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

RETIREMENT OF PROFESSIONAL STAFF MEMBERS

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

The Superintendent will strive to assist personnel to perform their duties efficiently. However, the Superintendent may dismiss any employee in accordance with applicable laws, regulations and collective bargaining agreements.

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

NONSCHOOL EMPLOYMENT OF PROFESSIONAL STAFF MEMBERS

When a person is hired on a regular, full-time basis, the School Committee considers that it has given the person full-time employment. It shall, therefore, expect all employees to give the responsibilities of their positions in the Milton Public Schools precedence over any type of outside part-time work.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

PROFESSIONAL ACTIVITIES OF TEACHERSWithin the Milton Public Schools

It is assumed that lectures, demonstrations or related activities, performed by teachers within the Milton Public Schools, are to be considered a service to the community, and are to be performed without fee. No teacher shall normally charge a fee for activities within the Milton Public Schools, directly related to his/her professional position. No teacher may advertise or sell educational materials within the Milton Public Schools not specifically authorized or approved by the School Committee.

Outside of the Milton Public Schools

The School Committee encourages participation in professional and related activities. Arrangements for attendance and/or participation in such activities shall be cleared with the administration in advance.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

TUTORING FOR PAY

Definition:

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

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

Tutoring for pay is not to be done in any school building within the Milton Public Schools.

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the school system must participate intelligently and effectively for the benefit of the children. The Milton Public Schools 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 Committee may abolish a position it has created.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS

In establishing salaries and salary schedules for support staff personnel, the School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the Milton Public Schools.

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF FRINGE BENEFITS

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

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF LEAVES AND ABSENCES

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

All requests for long-term leaves of absence will be submitted by the Superintendent for his/her action.

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

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF AND FAMILY MEDICAL LEAVE

The Milton Public Schools shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993 ("the Act"). The Superintendent shall issue, and from time to time amend, regulations setting forth the rights and procedures granted by the Act, and shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal over- sight and delegation.

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF VACATIONS AND HOLIDAYS

Holidays

The school calendar, as adopted by the School Committee, establishes holidays and school recess periods for the employees who work on teacher and/or students days.

Employees who work on a 12-month basis will be granted paid holidays on all legal holidays and such other holidays as designated by the School Committee. They will also be expected to report to work during school recess periods unless the Committee designates days during these periods as paid holidays.

To qualify for holiday pay, the employee must be at work on the business day before and the business day following the holiday, unless his absence is approved on the basis of current leave policies.

Vacations

All 12-month employees will be eligible for paid-vacations in accordance with applicable Collective Bargaining Agreements or employment contracts.

LEGAL REFS: M.G.L. 4:7; 136:12

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF RECRUITING/POSTING OF VACANCIES

The School Committee will establish, and budget for, support staff positions in the Milton Public Schools on the basis of need.

The recruitment and selection of candidates for such positions will be the responsibility of the Principal for building based positions, and the Superintendent for school system-wide positions. The desirability of staff diversity will be acknowledged. The Superintendent will confer with principals and other supervisory personnel, as appropriate, in making a selection.

All support staff vacancies will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF HIRING

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

The Superintendent and/or the Principal, in accordance with applicable law and with applicable regulations, will fill vacancies in positions.

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF PROBATION

Each support employee will serve a probationary period of six months in any position for which the employee is newly hired or in any new classification to which the employee is transferred or promoted. During that time, the employee will be adequately assisted and supervised so that his/her abilities to carry out the duties required, and job performance, may be ascertained. Should the employee's performance be unsatisfactory, a new employee may be released at any time during the probationary period, or an employee who has been transferred to a new classification may be returned to his/her former position.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

The Superintendent will make school system-wide assignments and transfers of support staff members for the efficient operation of the school department as necessary.

The preferences of employees will be taken into consideration in making assignments and transfers; however, the best interests of students and the Milton Public Schools must be given priority.

Within an individual school, the Principal may assign support staff members to tasks appropriate to their positions and qualifications.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF TIME SCHEDULES AND CALENDARS

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

Specific time schedules for support staff members will be set by the appropriate administrators in line with pertinent school opening and closing times, student schedules, and so on. Administrators will inform the Superintendent of the assigned schedules so that there may be continuity as needed throughout the Milton Public Schools.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF CAREER DEVELOPMENT OPPORTUNITIES

Support staff is an integral part of the Milton Public School's total staff. Their training and development are essential to the efficient and economical operation of the schools.

Therefore, all support staff shall be encouraged to grow in job skills and to take additional training that will improve their skills on the job. It shall be the responsibility of all building Principals to assist to the maximum degree in the training of custodians, clerks, and other support staff assigned to their buildings.

Absences to attend meetings, conventions, conferences, or workshops of local, state, or national associations which serve to advance the welfare of the Milton Public Schools through the upgrading and strengthening of the support services may be granted by the Superintendent of Schools without loss of pay to the employee.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

EVALUATION OF SUPPORT STAFF

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable work loads, and establish wage and salary policies that encourage employees to put forth their best efforts.

Evaluation of support staff will cover the employee's major areas of responsibility and will include the following:

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUPPORT STAFF PROMOTIONS

When support staff vacancies are to be filled, preference will be given to qualified applicants from within the Milton Public Schools, provided their qualifications (proven and potential ability, training, experience, and personal characteristics) are equal to those of other applicants. However, the best qualified person from among all who apply within and without the Milton Public Schools will be selected.

The performance of an employee promoted to a higher position will be reviewed during the probationary period in the new job. The employee will discuss the reviews with his/her supervisor or Principal and will receive a copy of each. At the completion of the appraisal period, the employee will be notified of continued employment in his/her new position or reinstatement in his/her former one.

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

RETIREMENT OF SUPPORT STAFF MEMBERS

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

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

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

REC'D: NESDEC

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration:

SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

Support staff employees employed by the Milton Public Schools and assigned to a particular building may be terminated by the Principal of the building in which they serve with the approval of the Superintendent. However, employees may request the Superintendent to review the circumstances of their termination. Support staff employees who are assigned to more than one building may be terminated by the Superintendent.

The Superintendent, or Principal, with the approval of the Superintendent, may also suspend employees from their assignments.

1st Reading: September 6, 2005

2nd Reading: October 5, 2005

Adoption: October 5, 2005

Proposed reconsideration: