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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

Original Adoption: October 5, 2005

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*, 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.

SOURCE: MASC August 2022

LEGAL REF: M.G.L. 151B:4;
BESE Regulations 603 CMR 26:00

Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

CROSS REF: AC, Nondiscrimination

REC'D: NESDEC

First Reading: September 21, 2022

Second Reading: October 12, 2022

SEXUAL HARASSMENT

The Milton School Committee and Milton 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 Milton 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. Sexual harassment includes, but is not limited to, 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 51A, 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. Schools must promptly respond to allegations of sexual harassment that are alleged to have occurred in the school's program or activities in a manner that is not deliberately indifferent (clearly unreasonable in light of the known circumstances).

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;
- Implied or explicit threats concerning one's grades, achievements, or other school matter;
- 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 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. In accordance with Title IX, a complainant's wishes with respect to whether the school investigates an allegation of sexual harassment will be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. However, in certain cases sexual harassment of a student may constitute child abuse under Massachusetts law. The Milton Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse. The Milton Public Schools will also report instances of harassment that may involve a crime to the Milton Police Department as 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 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 Title IX regulations require a school district to respond promptly when the district has actual notice of sexual harassment in a manner that is not deliberately indifferent. School districts have actual notice when an allegation is made known to any school employee. Schools are required to investigate every formal Title IX complaint and respond meaningfully to every known report of sexual harassment in order to stop any harassment; to remedy the effects of any harassment and to prevent future harassment.

Title IX requires that the District provide supportive measures to a complainant which are 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 District will implement 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 that respondent is not responsible 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 preponderance of the evidence, subject to limitations;
- 4) The opportunity to test the credibility of parties and witnesses through questions submitted to decision-maker subject to "rape shield" protections;
- 5) Written notice of allegations and an equal opportunity to review the evidence along with the opportunity to select an advisor of the party's choice who may be, but need not be, an attorney;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Parties must be provided notice of appeal rights;

Upon filing a formal complaint, the District 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 the preponderance of the evidence standard.

For additional information regarding due process protections under Title IX and the District's Grievance Procedure for Complaints of Sexual Harassment under Title IX of the Education Amendments of 1972 (ACAB-R).

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every formal Title IX sexual harassment complaint including the formal complaint, investigation, relevant evidence; decision-makers determination and any appeal. This could also include mediation, restorative justice, or other models of alternative dispute resolution. Additionally, schools must maintain 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 Milton Public Schools to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

Milton Public Schools Title IX Coordinator:

Dr. Garth McKinney, Assistant Superintendent of Curriculum & Human Resources

25 Gile Road, Milton, MA 02186

(617) 696-4808

gmckinney@miltonps.org

Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

- 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, 8th 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

Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.

SOURCE: MASC December 2021

First Reading: May 25, 2022

Second Reading and Approval: June 1, 2022

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 firsthand 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.

SOURCE: MASC - Reviewed 2022

First Reading: May 10, 2023

Second Reading: May 24, 2023

STAFF ETHICS/CONFLICT OF INTEREST

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

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

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

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

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

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, where “immediate family” includes those persons who are specified in its definition under MGL Chapter 268A, Section 1, as well as any person residing in the same household as the employee, 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.

SOURCE: MASC - Updated 2022

LEGAL REFS: M.G.L. [71:52](#); [268A:1](#) et seq.

First Reading: March 22, 2023

Second Reading: April 12, 2023

GBEB

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

REC'D: NESDEC

Original Adoption: October 5, 2005

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.

Original adoption: October 5, 2005

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
Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING

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

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

The Superintendent shall have final authority to approve any online fundraising activities by Milton Public Schools employees and shall determine and communicate to Building Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy. No employee shall post any fundraising solicitation or submit any proposal to a crowdfunding service except with prior written approval from the employee's Building Principal or, for central office employees, the Superintendent. If an employee's proposal is subsequently submitted and approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

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

Employees shall not use a crowdfunding service, or set up a solicitation in such a way, that they are asking for donations directly from people over whom they have authority, or with whom they have official dealings, including but not limited to parents of students in a teacher's classroom. For example, a teacher's solicitation may say "Classroom X needs tissues and crayons," but it should not be directed to parents who have shared email addresses with the teacher for purposes of communicating about their child.

Employees using crowdfunding services shall periodically disclose in writing to the Superintendent the names of all individuals whom the employee has directly solicited in any

manner, including but not limited to oral, written, or electronic solicitation. The Superintendent shall maintain these disclosures as public records available for public review.

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

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

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

LEGAL REFS: MGL 44:53A; 71:37A; 268A:3; 268A:23; Ethics Commission
Advisory Opinion EC-COI-12-1
CROSS REFS: GBEA, Staff Ethics/Conflict of Interest;
GBEBC, Gifts To and Solicitations by Staff;
KCD, Public Gifts to Schools

SOURCE: MASC February 2018

First and Second Reading: August 13, 2018

Approved: August 13, 2018

DRUG-FREE WORKPLACE POLICY

The Milton Public 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.

SOURCE: MASC March 2016

LEGAL REFS.: The Drug-Free Workplace Act of 1988

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

Adopted August 24, 2016

TOBACCO-FREE SCHOOL AND PROLONGED VEHICLE IDLING POLICY

1. Statement of Purpose:

The School Committee is committed to providing a tobacco-free and smoke-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. The exhaust fumes from idling vehicles can also be harmful to health. 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. Further, it is the intention of the School Committee to prohibit any school or personal vehicle from prolonged idling while on school property.

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, playgrounds, sports or recreational facilities whether enclosed or not, vehicles owned or leased by the Milton Public Schools 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 cessation: An intervention program applied to treat tobacco addiction.

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. Idling of Vehicles Restricted: Operators of school vehicles and personal vehicles are prohibited from any prolonged idling of said vehicles while on school grounds except when such idling is necessary to operate defrosting, heating or cooling equipment to ensure the health or safety of a driver or passengers. In addition, the Registry of Motor Vehicles shall notify all individuals certified and endorsed to be school bus drivers of their obligations under the law related to this policy.

5. Violations: Violations of this policy should be referred to a school administrator and will be addressed with the appropriate sanctions or remedies. 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.

6. Visitors: Announcers at all events will remind visitors that the Milton Public Schools is a tobacco-free environment and that schools are required by law to keep school premises tobacco free.

7. 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.

8. 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
ADC Tobacco-Free Schools

Adopted: March 14, 2012

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

Original Adoption: October 5, 2005

GBI

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

REC'D: NESDEC

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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 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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

GCC

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

Original Adoption: October 5, 2005

GCCC

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

Original Adoption: October 5, 2005

**MILTON PUBLIC SCHOOLS
DOMESTIC VIOLENCE LEAVE POLICY**

It shall be the policy of the Milton Public Schools 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.

Domestic violence leave shall be paid leave. An employee seeking such leave shall not be required to exhaust all annual or vacation leave, personal leave and sick leave available to the employee prior to requesting or taking domestic violence leave.

Except in cases of imminent danger to the health or safety of an employee, advance notice of domestic violence leave shall be required. If such imminent danger exists, the employee shall notify the Milton Public Schools within 3 work days that the leave was taken. The notification may be communicated to the Milton Public Schools 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, the Milton Public Schools 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. The Milton Public Schools 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 the Milton Public Schools 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 Milton Public Schools within a reasonable period after it has been requested.

An employee shall satisfy this documentation requirement by providing any one of the following documents to the Milton Public Schools:

- (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 Milton Public Schools.

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the Milton Public School's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employee's 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.

The Milton Public Schools shall not 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. The Milton Public Schools shall not discharge, or in any other manner discriminate against, an employee for exercising the employee's rights under the 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 of the employee's original job or to an equivalent position. Definitions of "abuse", "abusive behavior", "domestic violence", "employees" and "family members" may be found in the laws referenced below.

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

1st Reading: March 18, 2015

2nd Reading: September 9, 2015

Approved: September 9, 2015

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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 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; and
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 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.

SOURCE: MASC August 2022

LEGAL REF: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45 Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994

BESE 603 CMR 7:00, 26:00, and 44:00

Acts of 2022, Chapter 117 (*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.)

First Reading: September 21, 2022

Second Reading: October 12, 2022

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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 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

Original Adoption: October 5, 2005

PROFESSIONAL STAFF TIME SCHEDULES

Administrators

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

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

Original Adoption: October 5, 2005

GCO

EVALUATION OF PROFESSIONAL STAFF

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

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

Original Adoption: October 5, 2005

GCQA

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

Original Adoption: October 5, 2005

GCQC

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

Original Adoption: October 5, 2005

GCQE

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

GCR

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

Original Adoption: October 5, 2005

PROFESSIONAL ACTIVITIES OF TEACHERS

Within 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

Original Adoption: October 5, 2005

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.

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

GDBD

SUPPORT STAFF FRINGE BENEFITS

Benefits in addition to basic salary are recognized by the School Committee as an integral part of the total compensation plan for staff members. The benefits extended to 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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

GDCC

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 oversight and delegation.

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

REC'D: NESDEC

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

GDE

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

Original Adoption: October 5, 2005

GDF

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

Original Adoption: October 5, 2005

GDI

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

Original Adoption: October 5, 2005

GDJ

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

Original Adoption: October 5, 2005

GDK

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

Original Adoption: October 5, 2005

GDM

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

Original Adoption: October 5, 2005

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

Original Adoption: October 5, 2005

GDP

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

Original Adoption: October 5, 2005

GDQC

RETIREMENT OF SUPPORT STAFF MEMBERS

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

Periodically, the Superintendent will present to the 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

Original Adoption: October 5, 2005

GDQD

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.

Original Adoption: October 5, 2005