

TO: King Philip Regional School Committee Members

FROM: Paul Zinni

DATE: November 2, 2020

RE: Policy Review – Section G (Personnel) – 1st Reading

Attached are policies from Section G – Personnel that were reviewed by the Policy Subcommittee on October 15, 2020 and are being submitted to the School Committee as a 1st reading. Each current KP policy file has been reviewed and/or revised based upon the MASC version.

Each policy is provided with and without tracked changes so that you can compare each version.

GA	PERSONNEL POLICY GOALS
GBA	EQUAL EMPLOYMENT OPPORTUNITY
GBEA	STAFF ETHICS/CONFLICT OF INTEREST
GBEB	STAFF CONDUCT
GBEBC	GIFTS TO AND SOLICITATIONS BY STAFF
GBEBD	ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING
GBEC	DRUG-FREE WORKPLACE
GBED	TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED
GBGB	STAFF PERSONAL SECURITY AND SAFETY
GBGF	FAMILY AND MEDICAL LEAVE
GBJ	PERSONNEL RECORDS
GBK	STAFF COMPLAINTS AND GRIEVANCES
GCBB	EMPLOYMENT OF PRINCIPALS
GCF	PROFESSIONAL STAFF HIRING
GCG	SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT
GCJ	PROFESSIONAL TEACHER STATUS
GCO	EVALUATION OF PROFESSIONAL STAFF
GCQD	RESIGNATION OF PROFESSIONAL STAFF MEMBERS
GCRD	TUTORING FOR PAY
GDCCA	INDEPENDENT EMPLOYEES SICK LEAVE BANK
GDQD	SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS (21+1)

The following policy will be presented to rescind:

RESCIND:

POLICY GDE – SUPPORT STAFF RECRUITING/POSTING OF VACANCIES

/ebw

File: GA - PERSONNEL POLICY GOALS

Reviewed for PSC 10/15/20 – School Committee 1st reading

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 district's learning program.
2. To develop a general staff assignment strategy that will contribute to the learning program, and to use it as the primary basis for determining staff assignments.
3. To provide positive programs of staff development that contribute both to improvement of the learning program and to each staff member's career development aspirations.
4. To provide for a genuine team approach to education.
5. To develop and use for personnel evaluation positive processes that can contribute to the improvement of both staff capabilities and the learning program.

LEGAL REFS.: 603 CMR [26.00](#)

603 CMR [26.08](#) paragraphs 3,7,8,9

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File: GA - PERSONNEL POLICY GOALS

Reviewed for PSC 10/15/20

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

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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~~ district's learning program.
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LEGAL REFS.: 603 CMR 26.00

603 CMR 26.08 paragraphs 3,7,8,9

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File: GBA - EQUAL EMPLOYMENT OPPORTUNITY

Reviewed for PSC 10/15/20 – School Committee 1st reading

The Regional 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, religion, national origin, sex, gender identity sexual orientation, age, genetic information, ancestry, military status, disability, pregnancy or pregnancy related condition. 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 March 2018

LEGAL REF.: M.G.L. [151B:4](#);

BESE Regulations 603 CMR [26:00](#)

CROSS REF.: [AC](#), Nondiscrimination

NOTE: Although it is not usually necessary to have a policy that simply restates existing law, in this case it is important to reaffirm the School Committee's commitment to equal opportunity and to remind the hiring authorities in the District that many considerations other than District educational goals are factors to be considered.

This is also the category in which to include an affirmative action policy and plans. Details of the affirmative action plan could follow the Committee's policy as a School Committee-approved procedure. The cross references are to related statements in this manual.

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~~CROSS REFS.: AC, Nondiscrimination~~

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File: GBEA - STAFF ETHICS / CONFLICT OF INTEREST

Reviewed for PSC 09/01/20 Presented to School Committee (1st Reading) - 10/19/20

The Regional 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 work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to 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 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, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School Committee and the District Clerk at least two weeks prior to executing the hiring in accordance with the law.

SOURCE: MASC September 2016

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

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Commented [1]: should we be more specific here?

SOURCE: MASC September 2016

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

File: GBEB - STAFF CONDUCT

Reviewed for PSC 9120 – School Committee 1st Reading

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

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

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

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

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

SOURCE: MASC September 2016

LEGAL REFS.: M.G.L. [71:37H](#); [264:11](#); [264:14](#)

File: GBEB - STAFF CONDUCT



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4. Care and protection of school property.
5. Concern for and attention to their own and the school district's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

SOURCE: MASC September 2016

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

File: GBEB - GIFTS TO AND SOLICITATIONS BY STAFF

Reviewed for PSC 9/1/20 – School Committee 1st reading

Gifts

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

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

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

Class Gifts

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

Gifts for School Use

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

Solicitations

In spirit, the Regional School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support.

However, the solicitation of funds from staff members through the use of school personnel and school time is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members. Staff members of course remain free to support charitable causes of their own selection.

CROSS REFS.:

[KHA](#), Public Solicitations in the Schools

SOURCE: MASC December 2012

Legal Ref: M.G.L. [268A:3](#); [268A:23](#); 930 CMR [5.00](#)

CROSS REFS.: [KHA](#), Public Solicitations in the Schools



File: GBEBC - GIFTS TO AND SOLICITATIONS BY STAFF

Reviewed for PSC 9/1/20

The acceptance of personal gifts by school personnel from school suppliers, from parents and/or students can be subject to misinterpretation and a source of embarrassment to the school system and all persons involved. When families, students, or others wish to express personal appreciation to a teacher or other staff member, the Regional School Committee urges them to find modes of expression that do not involve personal gifts.

Gifts

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

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

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

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

Class Gifts

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class

gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents/guardians and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

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Solicitations

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

LEGAL REFS.: M.G.L. 268A et al

CROSS REFS.: JP, Student Gifts and Solicitations

KHA, Public Solicitations in the Schools

SOURCE: MASC December 2012

Legal Ref: M.G.L. 268A:3; 268A:23; 930 CMR 5.00

CROSS REFS.: KHA, Public Solicitations in the Schools

File: GBEBD - ONLINE FUNDRAISING AND SOLICITATIONS – CROWDFUNDING

PSC Review – NEW to KP – School Committee 1st Reading

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

The Superintendent shall have final authority to approve any online fundraising activities by school district employees and shall determine and communicate to Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy ([KCD](#)). The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation.

Any solicitation 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 fundraising solicitation must first secure the written consent of the student's parent or guardian.

Employees shall not use a crowdfunding source, or set up their appeal in such a way, that they are asking for donations directly from people over whom the employee making the request has authority, or with whom the public employee is having official dealings (such as parents/guardians of student's in a teacher's classroom - the solicitation can say "Classroom X needs tissues and crayons," but it shouldn't be directed to parents/guardians who have shared email addresses with the teacher for purposes of communicating about their student).

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 proceeds solicited by the employee directly to the employee's school or to the school district. Employees must verify under the crowdfunding service's terms and conditions that they meet all requirements for such solicitation. Items or proceeds directly sent to employees are considered gifts to the employee and may result in violation of state ethics laws.

If an employee's proposal is approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

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, every attempt will be made 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 goods and/or proceeds solicited and received through any online solicitation shall become the property of the School Committee, and not of the individual employee who solicited the item(s) or funds. The employee is prohibited from taking any such item(s) 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

NOTE: 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.



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CROSS REFS: [GBEA](#), Staff Ethics/Conflict of Interest;

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NOTE: 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.

File: GBEC - DRUG-FREE WORKPLACE

Reviewed for PSC 9/1/20 – School Committee – 1st reading

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

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the District's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the District's policy of maintaining a drug-free workplace; 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.

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

Approved 11/7/16

SOURCE: MASC March 2016

CROSS REFS.: [IHAMB](#), Teaching about Alcohol, Tobacco and Drugs

[JICH](#), Drug and Alcohol Use by Students



File: GBEC - DRUG-FREE WORKPLACE

Reviewed for PSC 9/1/20

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

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the District's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the District's policy of maintaining a drug-free workplace; 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 ~~this policy~~ 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.

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Approved 11/7/16

SOURCE: MASC March 2016

CROSS REFS.: IHAMB. Teaching about Alcohol, Tobacco and Drugs

JICH. Drug and Alcohol Use by Students

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

Reviewed for PSC 9/1/20 – SC 1st reading

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

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

SOURCE: MASC September 2016

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

CROSS REFS.: [ADC](#), Tobacco Products on School Premises Prohibited

[JICH](#), Alcohol, Tobacco and Drug Use by Students Prohibited

Revised: June 17, 2019

Approved: August 5, 2019



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

Reviewed for PSC 9/1/20

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

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

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CROSS REFS.: [ADC](#), Tobacco Products on School Premises Prohibited

~~[JICH, Alcohol, Tobacco and Drug Use by Students Prohibited](#)~~

[JICH, Alcohol, Tobacco and Drug Use by Students Prohibited](#)

Revised: June 17, 2019

Approved: August 5, 2019

File: GBGB - STAFF PERSONAL SECURITY AND SAFETY

Reviewed for PSC 9/8/20 – School Committee 1st reading

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.

Employees offered a position as a custodian, maintenance worker or food service worker must successfully pass a pre-employment physical examination (provided at School Committee cost) prior to the date of employment.

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

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

SOURCE: MASC September 2016

LEGAL REFS.: M.G.L. [71:54](#); [71:55B](#); [71:55C](#)

CROSS REFS.: [EB](#), Safety Program

NOTE: This category is for statements on staff physical and mental health examination requirements, the School Committee's commitment to assisting employees in maintaining good health, its concern with occupational safety, and so on.

Observe the cross-references. Health insurance plans for employees are properly coded under Fringe Benefits for the appropriate category of staff.

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SOURCE: MASC September 2016

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

~~CROSS REFS.: IHAMB, Teaching about Alcohol, Tobacco and Drugs~~

~~JCH, Drug and Alcohol Use by Students~~

~~Approved 11/7/16~~

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

CROSS REFS.: EB, Safety Program

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File: GBGF - FAMILY AND MEDICAL LEAVE

NEW TO KP – COVID RELATED - School Committee 1st Reading

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

SOURCE: MASC

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

Note: Due to the COVID-19 pandemic, The Families First Coronavirus Response Act (FFRCA) was adopted. This Act provides employees with paid sick leave or expanded family and medical leave for specific reasons related to COVID-19. These provisions will be in effect through December 31, 2020 unless otherwise extended.

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