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SCHOOL COMMITTEE OPERATIONAL GOALS

The School Committee is responsible to the people for whose benefit the school system has been established. The Committee's current decisions will influence the course of education in our schools for years to come. The Committee and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate problems.

The School Committee's primary responsibility is to establish those purposes, programs, and policies that will best produce the educational achievement needed by our students. The Committee is charged with accomplishing this while also being responsible for wise management of resources available to the school system. The Committee must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and by evaluating the results. It must carry out its functions openly, while seeking the comments of public, students, and staff in its decision-making processes.

In accordance with these principles, the School Committee through its mode of operating, shall seek to achieve the following goals:

:

1. Periodically setting performance objectives for the School Committee itself and evaluating their accomplishment.
2. Setting objectives for performance for each position and function in the system.
3. Allowing the people responsible for carrying out objectives to have a role in setting them.
4. Establish practical and simple goals.
5. Conducting a concrete and periodic review of performance against these goals.

CROSS REF.: ADA, School District Goals and Objectives

EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

The School Committee will periodically establish realistic objectives related to Committee procedures and relationships. At the end of a specified length of time, the Committee will measure its performance against the stated objectives.

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

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

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

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

SCHOOL COMMITTEE LEGAL STATUS/MEMBER AUTHORITY

The School Committee is the governing board of the school system of the City of New Bedford. Although it functions as a duly elected committee of the City government, it has autonomous and absolute authority within limitations set by the Commonwealth of Massachusetts to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the City.

The Committee consists of the mayor of New Bedford, and six additional members who are elected to serve four-year terms.

The School Committee has authority only when acting as a body. Individual members have no authority over school affairs except at the expressed direction of the Committee.

Statutory

LEGAL REFS.: M.G.L. 71:37 specifically, but powers and duties of school committees are established throughout the General Laws of Massachusetts Relating to School Committees
M.G.L. 43:31

CROSS REF.: AA, School District Legal Status

SCHOOL COMMITTEE POWERS AND DUTIES

The School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its work with the Superintendent; it sees them as:

1. **Legislative or policymaking.** The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.
2. **Appraisal.** The Committee is responsible for evaluating the effectiveness of its policies and their implementation.
3. **Provision of financial resources.** The Committee is responsible for adoption of a budget that will enable the school system to carry out the Committee's policies.
4. **Public relations.** The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the school staff informed about the needs and wishes of the public.
5. **Educational planning and evaluation.** The Committee is responsible for establishing educational goals and policies that will guide the Committee and staff for the administration and continuing improvement of the educational programs provided by the School District.

LEGAL REF.: M.G.L. 71:37 specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.

CROSS REF.: BB, School Committee Legal Status

SCHOOL COMMITTEE MEMBER AUTHORITY

Authority

Because all powers of the School Committee derived from state laws are granted in terms of action as a group, members of the School Committee have authority only when acting as a Committee legally in session.

The School Committee will not be bound in any way by any statement or action on the part of an individual member except when such statement or action is a result of specific instructions voted by the Committee.

No member of the Committee, by virtue of his/her office, will exercise any administrative responsibility with respect to the schools or command the services of any school employee.

The School Committee will function as a body and all policy decisions and other matters, as required by law, will be settled by an official vote of the Committee sitting in formal session.

Duties

The duties and obligations of the individual Committee member may be enumerated as follows:

1. To become familiar with the General Laws of the Commonwealth relating to education and School Committee operations, regulations of the Massachusetts Board of Education, policies and procedures of this School Committee and School Department.
2. To keep abreast of new laws and the latest trends in education.
3. To have a general knowledge of the goals, objectives, and programs of the city's public schools.
4. To work effectively with other Committee members without trying either to dominate the Committee or neglect his/her share of the work.
5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.
6. To vote and act in Committee impartially for the good of the students.
7. To accept the will of the majority vote in all cases, and to remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
8. To represent the Committee and the schools to the public in a way that promotes interest and support.
9. To refer questions and complaints to the Superintendent of Schools.
10. To comply with the accepted code of ethics for School Committee members.

SCHOOL COMMITTEE ELECTIONS

Members of the School Committee are elected at large by the voters of New Bedford at the regular municipal elections.

Statutory

LEGAL REF.: 41:1, 43:31

CROSS REF.: BBBC/BBBD/BBBE, School Committee Member Resignation/ Removal from Office/Unexpired Term Fulfillment

SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

In order to serve on the School Committee, an individual must be a United States citizen and a registered voter of the City, and must take an oath of office as required by law.

No member of the School Committee, except the mayor, shall, while an elected or appointed member of the Committee, hold any other office or position for which the salary or compensation is payable out of the school department budget.

Statutory

LEGAL REFS.: M.G.L. 41:107, 43:32, and the General Laws of Massachusetts Relating to
Election of Town Officers

**SCHOOL COMMITTEE MEMBER RESIGNATION/REMOVAL FROM OFFICE/
UNEXPIRED TERM FULFILLMENT**

A School Committee member who moves from the City is deemed to have vacated his/her office. A resignation becomes official on the date specified in a resignation notice filed by the resigning individual with the City Clerk.

When a vacancy occurs on the School Committee as a result of resignation or other reason, the city council and the remaining members of the School Committee meet in joint convention and elect a suitable person to fill the vacancy until the next regular municipal election, when a person is elected to fill any remaining portion of the unexpired term.

Statutory

LEGAL REFS.: M.G.L. 41:19, 43:36

SCHOOL COMMITTEE MEMBER ETHICS
(Massachusetts Association of School Committees Code of Ethics)

Preamble

The acceptance of a code of ethics implies the understanding of the basic organization of School Committees under the Laws of the Commonwealth of Massachusetts. The oath of office of a School Committee member binds the individual member to adherence to those state laws which apply to School Committees, since School Committees are agencies of the state.

This code of ethics delineates three areas of responsibility of School Committee members in addition to that implied above:

1. Community responsibility
2. Responsibility to school administration
3. Relationships to fellow Committee members

A School Committee member in his/her relations with his/her community should:

1. Realize that his/her primary responsibility is to the children.
2. Recognize that his/her basic function is to be policy making and not administrative.
3. Remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
4. Be well informed concerning the duties of a Committee member on both a local and state level.
5. Remember that he/she represents the entire community at all times.
6. Accept the office as a Committee member as means of unselfish service with no intent to "play politics," in any sense of the word, or to benefit personally from his/her Committee activities.

A School Committee member in his/her relations with his/her school administration should:

1. Endeavor to establish sound, clearly defined policies which will direct and support the administration.
2. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
3. Give the chief administrator full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results.
4. Refer all complaints to the administrative staff for solution and only discuss them at Committee meetings if such solutions fail.

A School Committee in his/her relations with his/her fellow Committee members should:

1. Recognize that action at official meetings is binding and that he/she alone cannot bind the Committee outside of such meetings.
2. Realize that he/she should not make statements or promises of how he/she will vote on matters that will come before the Committee.
3. Uphold the intent of executive sessions and respect the privileged communications that exists in executive sessions.

4. Not withhold pertinent information on school matters or personnel problems, either from members of his/her own Committee or from members of other Committees who may be seeking help or information on school problems
5. Make decisions only after all facts on a question have been presented and discussed.

SOURCE: Massachusetts Association of School Committees, 5/22/64

Updated: 1/11/2016

SCHOOL COMMITTEE ORGANIZATIONAL MEETING

The School Committee shall organize annually on the second Monday in January and shall elect a vice-chairperson for the ensuing year.

Updated: 1/11/2016

SCHOOL COMMITTEE OFFICERS

The mayor of the City of New Bedford serves as chairperson of the School Committee.

Duties of Chairperson

The chairperson shall preside at all meetings of the School Committee and shall perform other duties as directed by law, State Department of Education regulations, and by this Committee. In carrying out these responsibilities, the chairperson shall:

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

As presiding officer at all meetings of the School Committee, the chairperson shall:

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

The chairperson shall have the right, as other Committee members have, to offer resolutions, discuss questions, and to vote.

Duties of Vice-Chairperson

In the absence of the chairperson, the vice-chairperson shall perform all the duties of the chairperson.

Duties of Secretary

The secretary shall be responsible for insuring that a record is kept of all business transacted by the School Committee at either regular or duly called special meetings and shall perform such other functions that are ordinarily functions of this office.

LEGAL REF.: M.G.L. 43:31

SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

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

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

SCHOOL COMMITTEE SUBCOMMITTEES

Standing Subcommittees

The School Committee may authorize the establishment of such standing subcommittees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for Committee action. The following rules will govern the appointment and function of such subcommittees.

1. The subcommittee shall be established through action of the School Committee
2. The subcommittee chairperson and members shall be appointed by the School Committee
3. The subcommittee shall be provided with a list of its functions and duties
4. The subcommittee may make recommendations for School Committee action, but it may not act for the School Committee
5. The School Committee chairperson and Superintendent shall be ex-officio members of all standing subcommittees
6. All standing subcommittees shall be dissolved at the end of the School Committee's year—at the annual organizational meeting. They may be dissolved at any time by a vote of the School Committee.

Special Subcommittees

Special subcommittees may be created for special assignments. The same rules shall apply to special subcommittees as apply to standing subcommittees, except that they shall be dissolved upon completion of their assignment.

ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE

The following general policies will govern the appointment and functioning of advisory committees to the School Committee other than the student advisory committee, which is governed by the terms of the Massachusetts General Laws.

1. Advisory committees may be created by the School Committee to serve as task forces for special purposes or to provide continuing consultation in a particular area of activity. However, there will be no standing overall advisory committee to the School Committee.
2. If an advisory committee is required by state or federal law, its composition and appointment will meet all the guidelines established for that particular type of committee.
3. The composition of task forces and any other advisory committees will be broadly representative and take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to the committee as members or consultants, as found desirable.
4. Appointments to such committees will be made by the Committee; appointment of staff members to such committees will be made by the School Committee upon recommendation of the Superintendent.
5. Tenure of committee members will be one year only unless the member is reappointed.
6. Each committee will be clearly instructed as to:
 - a. The length of time each member is being asked to serve.
 - b. The assignment the School Committee wishes the committee to fulfill and the extent and limitations of its responsibilities.
 - c. The resources the School Committee will provide.
 - d. The approximate dates on which the School Committee wishes to receive major reports.
 - e. School Committee policies governing citizens, committees and the relationship of these committees to the School Committee as a whole, individual School Committee members, the Superintendent, and other members of the professional staff.
 - f. Responsibilities for the release of information to the press.
7. Recommendations of committees will be based upon research and fact.
8. The School Committee possesses certain legal powers and prerogatives that cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the School Committee.

The Committee will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the life of any committee.

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

SCHOOL COUNCILS

The School Committee believes that the school is the key unit for educational improvement and change and that successful school improvement is best accomplished through a school-based decision-making process. By involving those directly affected by any action or decision of the school council in the process of determining that action or decision, it helps to strengthen the commitment to those decisions by those most affected by its implementation.

Under this policy, the Principal shall have primary responsibility for the management of the school. Decisions which are made at the school level must be aligned with the budget, policies, curriculum, and long-range and short-range goals adopted by the School Committee. In addition, decisions must comply with any state and federal laws and regulations and with any negotiated agreements of the school District.

As enacted by the state legislature in the Education Reform Act of 1993, a school council shall be established in each school to advise the Principal in specific areas of school operation. The Principal, except as specifically defined in the law, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the Superintendent and School Committee.

The following guidelines define the role of the school council:

The School Council shall meet regularly with the Principal of the school and shall assist in:

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

LEGAL REFS.: M.G.L. 71:38Q, 71:59C

SCHOOL IMPROVEMENT PLAN

The Principal, in conjunction with the school council, shall be responsible for preparing a written school improvement plan annually. This plan shall be written with the advice of the school council and submitted for approval to the Superintendent and the School Committee. The plan should be drafted with the following in mind:

1. The educational goals for the school consistent with the goals and standards, including student performance standards, as adopted by the Massachusetts Board of Education and by the School Committee.
2. An assessment of the needs of the school in light of the proposed educational goals.
3. The means to address student performance.
4. Professional development for the school's professional staff.
5. The enhancement of parental involvement in the life of the school, safety, and discipline.
6. The development of means for meeting the diverse learning needs of every child.
7. Any further subjects as the Principal, in consultation with the school council, shall consider appropriate, except that:
 - a. The council shall have no authority over matters that are subject to Chapter 150E, the collective bargaining law, and
 - b. The council may not expand the scope of its authority beyond that established in law or expressly granted by School Committee policy.

SUBMISSION AND APPROVAL OF THE SCHOOL IMPROVEMENT PLAN

The written school improvement plan shall be submitted by the Principal to the for review and approval annually.

Because the implementation of the plan is dependent on Superintendent approval, it is important that the school council be aware of certain expectations of the Superintendent and the School Committee regarding the school improvement plan. The school improvement plan should:

1. Focus on improvement of student learning.
2. Specify expected student outcomes and measurable/observable results.
3. Align with the mission of the School District and any goals and policies of the School District.
4. Be consistent with state and federal law, School District policy, established curriculum and negotiated agreements.
5. Clearly identify actions to be taken on how changes will be implemented.
6. Include a plan on how to solicit community support for the changes being developed.
7. Indicate anticipated costs and available funding sources.
8. Delineate the method of evaluating and reporting progress and results.

If the school improvement plan is not approved by the Superintendent, it shall be returned to the Principal with specific comments as to the reason(s). The Principal shall revise the plan in cooperation with the school council, and resubmit it for approval. If the Superintendent does not review the school improvement plan within 30 days of its receipt by the Committee, the plan shall be deemed to have been approved.

CONDUCT OF SCHOOL COUNCIL BUSINESS

The Principal shall, by law, serve as co-chair of the council. The second co-chair will be elected annually by the council members at its first meeting of the school year subsequent to the elections of new council members. The co-chairs will be responsible for the preparation of the agenda for the council meetings.

The school council shall meet at least once monthly during the school year. Meetings will be held outside of school hours. At its first meeting of the school year, the council will set its calendar of regular meetings for the year. Where circumstances warrant, the council may choose to call additional meetings.

School councils shall use consensus as the primary method to resolve issues and to formulate recommendations. Votes by majority may be taken at the discretion of the Principal and Robert's Rules of Order shall prevail if there are questions of procedure.

All meetings of the school council shall conform to the Open Meeting Law, Sections 23 A, B, and C, which stipulate that all meetings be open to the public, that meetings be posted at least 48 hours in advance, and that minutes of the meeting shall be maintained as required. The scope of the school council does not require, and therefore does not qualify for, executive session.

The Superintendent shall receive agendas and minutes of all school council meetings. The Superintendent shall provide copies of these materials to members of the School Committee for information upon request.

SCHOOL ATTORNEY

The School Committee may use the services provided by the town counsel. The Committee and the Superintendent may seek his/her services to counsel and represent the school system at various times.

However, because the complexity of school department operations often requires specialized legal services, the Committee may also retain an attorney or law firm to provide additional legal services.

It will be the duty of the counsel for the Committee to advise the School Committee and the Superintendent on the specific legal problems submitted to him. He/she will attend meetings upon request and will be sufficiently familiar with Committee policies, practices, and actions under these policies, and with requirements of the school law to enable him/her to offer the necessary legal advice.

A decision to seek legal advice or assistance on behalf of the school system will be made by the Committee. The Superintendent may also take such action at the direction of the Committee.

Many types of legal assistance are routine and do not require specific Committee approval or prior notice. However, when the Superintendent concludes that unusual types or amounts of professional legal service may be required, he/she will advise the Committee and seek either initial or continuing authorization for such service.

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

CONSULTANTS TO THE SCHOOL COMMITTEE

The modern school system is a complex organization established to provide a high quality educational program for children and youth who will live in a changing and highly complex society. Additionally, the school system represents an investment of millions of dollars by the public in the cause of public education. In order to pursue its educational mission and also to protect the public's financial investment in the schools, the School Committee will from time to time engage the services of qualified professional consultants to provide new insights and ideas for dealing with especially difficult problems and/or to provide special services which present staff is unable to provide. The kinds of assistance sought from consultants may include, but will not necessarily be limited to: (1) conducting fact-finding studies, surveys, and research; (2) providing counsel or services requiring special expertise; and (3) assisting the Committee in developing policy and program recommendations.

Before engaging any consultant, the School Committee will require submission of a written proposal which can be incorporated into a contract or a purchase order if it satisfies the wishes of the Committee. Proposals will detail (1) the specific objectives to be accomplished by the consultant; (2) the specific tasks to be performed; (3) the procedures to be used in carrying out the tasks; (4) the target dates for the completion of tasks; and (5) the method to be used to report results to the Committee and/or to deliver any "product" (e.g., long-range plan, codified policy manual, etc.) to the Committee.

The School Committee will not contract for services until all proposals are submitted to the school attorney for review. The Superintendent will establish procedures necessary to affect an efficient working relationship between the consultant and the Committee and/or staff members.

SCHOOL COMMITTEE MEETINGS

The School Committee shall officially transact all business at an open meeting of the Committee, with such exceptions as noted in item three below. The Committee shall hold various types of meetings, including:

1. Regular Meeting—the usual official open meeting of the Committee. Traditionally regular meetings are held once per month on the second Monday unless otherwise scheduled.
2. Special Meeting—an official open meeting called between scheduled regular meetings to consider special topics. The chairperson, or the vice-chairperson, in his/her absence, or three members of the Committee may call a special meeting.
3. Executive Session—an official but private meeting of the School Committee conducted only for the purpose of discussing, deliberating, or voting on those matters which by general or special statute, or federal grant-in-aid requirements, cannot be made public and those matters which if made public might adversely affect the public security, the financial interest of the district, or the reputation of any person.

LEGAL REFS.: 39:23A, 39:23B; 39:23C

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

EXECUTIVE SESSIONS

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.
2. The Chairperson (or, in his/her absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.
3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.
4. The Chairperson or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.
2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.
5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.
7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.

8. And to consider and interview applicants for employment by a preliminary screening committee (The only position that the school committee would be involved in that might qualify would be for the position of Superintendent.) This exemption only applies if it can be determined that an open meeting will have a detrimental effect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.

9. To meet or confer with a mediator with respect to any litigation or public business.

10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

(In the first case, an open meeting will be held if the individual involved so requests.)

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

Established by law and Committee policy

SOURCE: MASC

UPDATED: June 2012

LEGAL REFS. : M.G.L. 30A:21; 30A:22

CROSS REFS. : BDE, Subcommittees of the School Committee
BE, School Committee Meetings
KEB, Public Complaints about School Personnel

File: BED

SCHOOL COMMITTEE MEETING PROCEDURES

It is the desire of the Committee that meetings shall be formal enough for orderly procedure but informal enough to be natural and to encourage free discussion and to promote group thinking and action.

The Committee desires to be cognizant of the problems, requests, complaints, and suggestions of members of the community, but it is necessary that the Committee not allow the perusal of such matters to interfere with diligent attention to the affairs of the district.

CROSS REF.: BEDH, Public Participation at School Committee Meetings

NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

The times and places of all regular and special meetings of the School Committee shall be filed with the City clerk and posted in that office at least 48 hours in advance of any regular or special meeting.

It shall be the policy of this Committee to notify the Clerk, press, and all Committee members of meeting dates or changes of dates as far in advance as possible. Such notification shall include the meeting date, time and place, and information about the agenda.

LEGAL REFS.: 30A

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

AGENDA FORMAT

The Superintendent, conferring with the Chairperson of the School Committee, will arrange the order of items on meetings agendas so that the Committee can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping with the business at hand.

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Committee, or to expedite Committee business.

Any School Committee member, staff member, or citizen may suggest items of business. The inclusion of such items, however, will be at the discretion of the Chairperson of the Committee in consultation with the Superintendent. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent.

The agenda will also provide for time when any citizen who wishes may speak briefly before the School Committee.

The agenda, together with supporting materials, will be distributed to School Committee members three days prior to the meeting to permit adequate time to prepare for the meeting.

Agendas will be posted and made available to the press.

AGENDA PREPARATION AND DISSEMINATION

The Superintendent shall prepare all agendas for meetings of the School Committee. In doing so, the Superintendent shall consult, as he/she finds necessary, with the School Committee chairperson or vice-chairperson, and appropriate members of the administrative staff.

Items of business may be suggested by any Committee member, staff member, or citizen of the district; the inclusion of such items shall be at the discretion of the superintendent.

The Committee shall follow the order of business setup by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Committee agrees to consider them. The Committee, however, may not revise its policies, or adopt new ones, unless such action has been scheduled.

The agenda, together with supporting materials, shall be distributed to Committee members sufficiently prior to the Committee meeting, if at all possible, to permit them to give items of business careful consideration. The agenda shall also be made available to the press, representatives of community, staff groups and to others upon request.

QUORUM

A majority of the full membership of the School Committee, that is four members, shall constitute a quorum. In the absence of a quorum, the only official action that the Committee may take is to adjourn the meeting to another time and/or date.

LEGAL REF.: M.G.L. 30A

RULES OF ORDER

Robert's Rules of Order, Newly Revised will govern the proceedings of the Committee, except when those rules are in conflict with the Committee's approved policies and regulations.

In accordance with Robert's Rules, the Committee may suspend parliamentary rules of order by a two-thirds vote.

VOTING METHOD

Four members shall constitute a quorum for the transaction of ordinary business; however, a vote by a majority of the whole Committee shall be required for the following:

1. Suspension of policy or by-law
2. Amendment of policy of by-law
3. Appointment of Superintendent, Business Manager, Assistant Superintendent and Special Education Director
4. Alteration of salaries of personnel.

All votes shall be taken via voice by “yea” or “nay”, and all votes shall be entered in the records of the School Committee.

LEGAL REF.: Chapter 341 of the General Laws of Massachusetts, as amended by Section 4 of Chapter 46 of the Acts of 1921

MINUTES

The minutes of a School Committee meeting constitute the written record of Committee actions; they are legal evidence of what the action was. Therefore, the secretary of the School Committee will be responsible for reporting in the minutes all actions taken by the Committee.

Minutes will include:

1. The date, time, place, the members present or absent, annotated as to arrival and departure times, if during the meeting, a summary of each subject, and a list of documents and exhibits used at the meeting,
2. A complete record of official actions taken by the Committee relative to the Superintendent's recommendations, to communications, and to all business transacted. Resolutions and motions will be given in their exact wording, accompanied by the names of members moving and seconding and a record of the results of the vote. Reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
3. Notation of formal adjournment.

Copies of the minutes will be sent to all Committee members at least 48 hours in advance of the meeting at which the minutes are to be approved. Minutes of all meetings shall be created and approved in a timely manner which is defined in regulation as within the next 3 meetings of the body or within 30 days, whichever is later.

The approved minutes will become permanent records of the Committee. Minutes of public meetings and minutes of executive sessions that have been declassified will be in the custody of the Superintendent who will make them available to interested citizens upon request.

NOTE: Specific comments and/or discussion should only be included in the minutes as a result of a vote of the Committee. The minutes are not a transcript of the meeting. Documents used during a School Committee meeting become part of the official record and must be maintained, based upon their content, in accordance with the Commonwealth's Municipal Public Records Retention Schedule.

SOURCE: MASC
LEGAL REFS.: M.G.L. 30A:22; 66:10; 940 CMR 29.00
CROSS REF.: KDB, Public's Right to Know; BEC, Executive Session
AMENDED: January 13, 2020

PUBLIC PARTICIPATION AT SCHOOL COMMITTEE MEETINGS

School Committee meetings are meetings in public to conduct public business but are not necessarily public meetings in the sense that any matter at any time may be heard from those in attendance. The School Committee shall conduct its public business with order and efficiency with the hearing of reports, action upon the recommendations of the Superintendent, adoption of resolutions or formal policies as proposed by the members themselves or from communications submitted to them, and action upon such communications as are pertinent to the operation of the public school system.

So that the public may be heard in the most efficient manner, the procedures listed below shall be followed in the interest of civility and fair play:

1. Placement of the Public Comment should be at the direction of the Chair.
2. Persons wishing to speak must:
 - a. Sign in before the meeting
 - b. Not exceed three minutes
 - c. Not name students, staff, or parents
 - d. Must direct remarks to the Chair
3. The School Committee shall not respond to public comments; it shall be their decision to discuss issues at a later date.

SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

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

1. Give due and public notice in line with statutory requirements and in addition, seek to publicize the meeting in all local media.
2. Make available printed information on the topic of the hearing.
3. Give all persons an equal opportunity to be heard in accordance with the Committee's policy.

The chairperson of the Committee, or other member on his/her and the Committee's approval, shall preside at the hearing.

The public shall be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Committee, or by others for the Committee; to remark, citizens must be recognized by the chair, and all remarks must be addressed to the chair and be germane to the topic. To assure that all who wish to get a chance to speak, the chair will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

CROSS REF.: DBF/DBG, Dissemination of Budget Recommendations/ Hearings and Reviews

SCHOOL COMMITTEE POLICY DEVELOPMENT

It is the intent of the School Committee to develop policies and put them in writing so that they may serve as guidelines and goals for the successful and efficient functioning of the public schools.

The Committee considers policy development its chief function, along with providing the wherewithal such as personnel, buildings, materials, and equipment for the successful administration, application, and execution of its policies.

The Committee accepts the definition of policy set forth by the National School Boards Association:

Policies are principles adopted by the school board to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting a number of problems; narrow enough to give clear guidance. Policies are guides for action by the administration, who then sets the rules and regulations to provide specific directions to school district personnel.

It is the Committee's intention that its policies serve as sources of information and guidance for all people who are interested in, or connected with, the public schools.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of present and future committees. The Committee will welcome suggestions for ongoing policy development.

PRELIMINARY DEVELOPMENT OF POLICIES/POLICY ADOPTION

Although the School Committee shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority, it recognizes the fact that the formulation of a written policy is a matter deserving of lengthy and serious study.

In the formulation and adoption of these written policies which constitute the basic method by which the School Committee exercises its leadership in the operation of the school system, the opportunity to participate in the discussions which lead to the drafting of a proposed policy, shall be extended through the superintendent to a representative group of school department personnel.

The secretary of the School Committee shall have final responsibility for submitting the policies in written form for the approval of the Committee.

Policies and policy revisions introduced shall not be adopted until a subsequent meeting. Thus, time shall be given to permit further study and also to give opportunity to interested parties to react. However, temporary approval may be granted by the Committee in lieu of formal policy to meet emergency conditions or special events which will take place before formal action can be taken.

The formal adoption of policies shall be recorded in the minutes of the School Committee. Only those written statements so adopted and so recorded shall be regarded as official School Committee policy.

POLICY REVISION AND REVIEW

In an effort to keep its written policies up to date so that they can be used consistently as a basis for School Committee action and administrative decision, the Committee will review its policies on a regular basis.

The Committee will evaluate how the policies have been executed by the school staff and will weigh the results. It will rely on the school staff, students, and the community for providing evidence of the effect of the policies it has adopted.

The Superintendent is given the continuing commission of calling to the Committee's attention all policies that are out of date or for other reason appear to need revision.

The School Committee directs the Superintendent to periodically recall all policy and regulations manuals for administrative updating and Committee review.

SCHOOL COMMITTEE REVIEW OF PROCEDURES

It is expected that the Superintendent and administrative staff will need to issue procedures implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the procedures developed by the Superintendent for the school system whenever they appear inconsistent with policy, goals, or objectives of the District, but it will revise or veto such procedures only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve procedures except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for a procedure to have the Committee's advance approval.

Rules Pertaining to Staff and Student Conduct

Under Massachusetts law, the Superintendent is required to publish "rules and regulations pertaining to the conduct of teachers and students which have been adopted." Codes of discipline, as well as procedures used to develop such codes, shall be filed with the Department of Education for information purposes only. Standards of conduct will be included in staff and student handbooks. These handbooks will be reviewed and approved annually by the School Committee.

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

POLICY DISSEMINATION

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Committee and the procedures needed to put them into effect.

Accessibility is to extend at least to all employees of the school system, to members of the Committee, and, insofar as conveniently possible, to all persons in the community. A policy concerning a particular group or groups in the schools will be distributed to those groups prior to the policy's effective date.

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

SUSPENSION OF POLICIES

The operation of any section or sections of School Committee policies not established by law or contract may be temporarily suspended by a two-thirds vote of Committee members present at any regular or special meeting. Any action to suspend policy must be reviewed at the next scheduled meeting and will be so noted on the agenda for that meeting.

SCHOOL COMMITTEE-STAFF COMMUNICATIONS

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

Staff Communications to the School Committee

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

School Committee Communications to Staff

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

Visits to Schools

Individual School Committee members interested in visiting schools or classrooms will inform the Superintendent of such visits and to make arrangements for visitations . Such visits will be regarded as unofficial and 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.

Social Interaction

Staff and Committee members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general school district problems. However, staff members are reminded that individual Committee members have no special authority excepting when they are convened at a legal meeting of the School Committee or vested with special authority by Committee action. Therefore, discussions by either party of personalities or personnel grievances will be considered as evidence of unethical conduct.

USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), Internet web forums, and Internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including, but not limited to, the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the School Committee chairperson, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic correspondence between and among members of the School Committee. These copies shall be printed and retained in the central office in the same fashion as any other School Committee records. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

LEGAL REF.: M.G.L.4:7; 39:23A, 23B; 66:10

NEW SCHOOL COMMITTEE MEMBER ORIENTATION

In accordance with the requirements of Massachusetts General Law Chapter 71, Section 36A as amended on December 24th, 2002, each new School Committee member elected to the New Bedford School Committee is required to complete, within one year of their election or appointment, at least eight hours of orientation training. This orientation shall include, but is not limited to, a review of School Finance, the Open Meeting Law, Public Records Law, Conflict of Interest Law, Special Education Law, Collective Bargaining, School Leadership Standards and Evaluations, and the Roles and Responsibilities of School Committee Members.

The School Committee and Superintendent shall assist each new member to understand the Committee's functions, policies and procedures of the Committee as soon after election as possible. Each new member shall be given the following materials:

- A. A copy of the School Committee policy manual
- B. A copy of the Open Meeting Law
- C. A copy of the Conflict of Interest Regulations
- D. A copy of the district's budget
- E. Collective bargaining agreements and contracts
- F. Student and staff handbooks

Each new member shall also receive any other materials the Chair and/or the Superintendent determine to be necessary.

The Chair and/or Superintendent shall also clarify policy:

- A. arranging visits to schools or administrative offices
- B. requesting information regarding school district operations
- C. responding to community requests/complaints concerning staff or programs
- D. handling confidential information

Whether appointed or elected, new members should be advised that they are also members of the Massachusetts Association of School Committees, Inc. and should be encouraged to utilize the services and resources MASC provides by attending meetings or workshops specifically designed for new Committee members. Their expenses at these meetings or workshops will be reimbursed in accordance with established School Committee policy.

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

SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

In keeping with its stated position on the need for continuing in-service training and development for its members, the School Committee encourages the participation of all members at appropriate school committee conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the Committee establishes these principles and procedures for its guidance.

1. A calendar of School Committee conferences, conventions, and workshops shall be maintained by the Committee secretary. The Committee will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school district. At least annually the Committee will identify those new ideas or procedures and/or cost benefits that can be ascribed to participation at such meetings.
2. Funds for participation at such meetings will be budgeted for on an annual basis. When funds are limited, the Committee will designate which of its members would be the most appropriate to participate at a given meeting.
3. Reimbursement to Committee members for their travel expenses will accord with the travel expense policy for staff members.
4. When a conference, convention, or workshop is not attended by the full committee, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES

School Committee members shall receive no compensation for their services.

Reimbursement expenses may include the cost of attendance at conferences of school board associations and other professional meetings/visitations when such attendance and expense payment has had prior Committee approval.

LEGAL REF.: M.G.L. 71:52

SCHOOL COMMITTEE LEGISLATIVE PROGRAM

The School Committee, as an agent of the state, must operate within the bounds of state and federal laws affecting public education. If the Committee is to meet its responsibilities to the residents and students of this community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause.

To this end:

1. The Committee will keep itself informed of pending legislation and actively communicate its concerns and make its position known to elected representatives at both the state and national level.
2. The Committee will work with its legislative representatives (both state and federal), with the Massachusetts Association of School Committees, and other concerned groups in developing an annual, as well as a long-range, legislative program. One of the major objectives of the Committee's legislative program will be to seek full funding for all state and federally mandated programs.
3. The Committee will annually designate a person--who may or may not be a member of the Committee--to serve as its legislative representative. This person will be authorized to speak on the Committee's behalf with respect to legislation being considered by the Massachusetts Legislature or the United States Congress or their respective committees. In all dealings with individual elected representatives, the Legislature or Congress, the Committee's representative will be bound by the official positions taken by the School Committee.

SCHOOL COMMITTEE MEMBERSHIPS

The School Committee shall maintain membership in the Massachusetts Association of School Committees.

Through its membership in this organization it is an indirect member of the National School Boards Association. The Committee and its members shall actively participate in the activities of these organizations insofar as possible.

The district shall hold institutional membership in such other educational associations and groups as approved by the Committee.