

SECTION B: SCHOOL COMMITTEE GOVERNANCE AND OPERATIONS

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1. SCHOOL COMMITTEE OPERATIONAL GOALS

The Beverly School Committee, as a representative body, seeks to understand, plan for and meet the educational needs of the people it serves. Accordingly, the Beverly School Committee will establish a set of long-term goals, with measurable objectives and an accompanying long-range plan for implementation. This will serve as the basis for programs and budget of the school system. Input will be sought from administrators, faculty, students, parents and other members of the community in the establishment of these goals.

Each January, the Beverly School Committee shall establish annual goals for the calendar year. These goals shall be drafted after input from all members of the Committee. The goals shall be adopted by a vote of a majority of the Committee no later than the last meeting in February.

Adopted: March 13, 2000
Revised: December 12, 2007

2. SCHOOL COMMITTEE LEGAL STATUS

The School Committee's powers and duties are derived and controlled by state statute. In general, the School Committee shall have general charge and management of all public schools, including evening schools, evening high schools, summer schools, and of vocational schools and departments when not otherwise provided for by law. Thus, the School Committee is charged with the development of reasonable rules and regulations for the conduct of the school system.

Since the School Committee is the governing body of the school system, its basic function is policymaking and not administrative in nature.

By law, the School Committee must exercise its powers and duties as a committee. All action must be taken at a duly called meeting at which a majority of the Committee members are present. The decisions and actions of individual members have no legal standing unless these powers have been duly assigned to them by Committee action.

M.G.L. Chapter 71, Section 37

Adopted: March 13, 2000
Revised: December 12, 2007

3. COMMITTEE MEMBERSHIP - ELECTION

The School Committee shall consist of seven members. Six of the members shall be nominated and elected by the voters of each ward. There will be one School Committee member elected from each of the six wards. The Mayor shall serve as the seventh member of the School Committee.

**Chapter 41, Section 1; Chapter 41, Section 107;
Beverly City Charter: Article 4**

Adopted: March 13, 2000
Revised: December 12, 2007

4. COMMITTEE MEMBERSHIP - QUALIFICATIONS

Any resident of the City of Beverly is qualified to become a member of the School Committee if he/she is a citizen of the United States; and at the time of election a registered voter of the ward from which he/she is elected.

**M.G.L. Chapter 39, Section 23B; Chapter 41, Section 1; Chapter 41, Section 107;
Beverly City Charter: Article 4**

Adopted: March 13, 2000
Revised: December 9, 2009

5. COMMITTEE MEMBERSHIP - TERM OF OFFICE

The members of the School Committee shall hold office for a term of two years. If a ward School Committee member moves to another ward in the city during the first eighteen months of the term of office, such office shall be deemed vacant and the balance of the term shall be filled in the manner provided in Article 4 of the Beverly City Charter. If such removal occurs after the first eighteen months of the term of office, such School Committee member may continue to serve for the balance of the term for which elected. If a ward School Committee member moves from the city during the term for which elected, such office shall immediately be deemed vacant and filled in the manner provided in Article 4 of the Beverly City Charter.

Beverly City Charter: Article 4

Adopted: March 13, 2000

Revised: December 12, 2007

6. COMMITTEE MEMBERSHIP - RESIGNATION

Resignations from the Beverly School Committee shall be submitted in writing to the President of the Committee. The Committee shall place said resignations on the agenda of the next regularly scheduled meeting of the School Committee for the appropriate action.

If a ward School Committee member resigns during the term for which elected, such office shall immediately be deemed vacant and filled in the manner provided in Article 4 of the Beverly City Charter.

**M.G.L. Chapter 41, Section 1; Chapter 41, Section 109
Beverly City Charter**

Adopted: March 13, 2000
Revised: May 14, 2008

7. COMMITTEE MEMBERSHIP - FILLING OF VACANCIES

If a vacancy shall occur in the office of a ward School Committee member during the first twenty months of the term for which School Committee members are elected, the vacancy shall be filled in descending order of votes received by the candidate for the office of ward School Committee member from that ward at the preceding city election who received the largest number of votes without being elected, provided such person remains eligible and willing to serve and provided such person received votes at least equal to thirty percent of the vote total received by the person receiving the largest number of votes for the office of ward School Committee member in that ward. If there be no such candidate eligible and willing to serve, the vacancy shall be filled by a majority vote of the remaining members of the School Committee and the City Council sitting in joint convention, from among the voters of the ward.

If the vacancy occurs during the last four months of the term of office, such vacancy shall be filled by the person at the biennial city election who receives the highest number of votes for the office of ward School Committee member from that ward. Such person shall forthwith be certified and shall serve for the last two months of the concluding term in addition to the term for which such person was elected. The city clerk shall certify such candidate to the office of ward School Committee member to serve for the balance of the then unexpired term.

M.G.L. Chapter 41, Section 11; Beverly City Charter: Article 4

Adopted: March 13, 2000
Revised: May 19, 2004

8. SCHOOL COMMITTEE MEMBER CODE OF ETHICS

The Beverly School Committee accepts the Massachusetts Association of School Committees Code of Ethics that is in existence as of this date.

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 adhere to those laws that apply to school committees since school committees are agencies of the state.

The code of ethics delineates three areas of responsibility of school committee members: (1) community responsibility; (2) responsibility to school administration; (3) relationship to fellow committee members.

Relationship with Community

Each member of the School Committee in his/her relations with his/her community should:

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

Relationship with Administrators

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

- Endeavor to establish sound, clearly defined policies that will direct and support administration.
- Recognize and support the administrative chain of command and refuse to act upon complaints as an individual outside the administration.
- Act only on the recommendation of the chief administrator in all matters of employment or dismissal of school personnel.
- Give the chief administrator full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results.
- Refer all complaints to the administrative staff for solution and only discuss them at committee meetings if such solutions fail.

Relationship with Members

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

- Recognize that action at official meetings is binding and that he/she alone cannot bind the Committee outside of such meetings.
- Realize that statements or promises should not be made regarding how he/she will vote on matters that will come before the Committee.
- Uphold the intent of executive sessions and respect the privileged communication that exists in executive sessions.
- 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 and information on school problems.
- Make decisions only after all facts on a question have been presented and discussed.

Massachusetts Association of School Committees

Adopted: March 13, 2000

Revised: December 12, 2007

9. COMMITTEE MEMBER CONFLICT OF INTEREST

No member of the School Committee shall hold any other city office or city employment for which a salary or other amount is payable from the city treasury. No former member of the School Committee shall hold any compensated appointed city office or city employment until one (1) year following the date on which such member's service on the School Committee has terminated.

A School Committee member shall not have any direct personal and pecuniary interest in a contract with the school district, nor shall he/she furnish directly any labor, equipment, or supplies to the district.

In the event a Committee member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the district, the Committee member shall declare his/her interest and refrain from debating, discussing, or voting upon the question or contracting with the company. Such disclosure shall be made in writing and shall be kept open to inspection by the public.

It is not the intent of this policy to prevent the district from contracting with corporations or businesses because a Committee member is an employee of the firm. The policy is designed to prevent placing a Committee member in a position where his/her interest in the public schools and his/her interest in his/her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

Nepotism

The Committee will not employ any individual if such person is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, brother-in-law, or sister-in-law of the Superintendent or of any member of the Committee.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Committee prior to the inception of the relationship, the adoption of this policy, or a Committee member's election.

Vendor Relations

The district will not purchase supplies, materials, or services from a member of the School Committee or from a member of his/her household or from a firm in which he/she holds a major interest.

Municipal Employees, Relatives or Associates; Financial Interest in a Particular Matter

Except as permitted by paragraph #3 a municipal employee who participates as such an employee in a particular matter in which to his/her knowledge, he/she, his/her immediate family or partner, a business organization in which he/she is serving as an officer, director, trustee, partner or employee, or any person or organization with whom he/she is negotiating or has any arrangement concerning prospective employment, has a financial interest, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years or both.

It shall not be a violation of this section if: (1) the municipal employee first advises the official responsible for appointment to his/her position of the nature and circumstances of the particular matter and makes full disclosure of such financial interest, and receives in advance a written determination made by that official that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the municipality may expect from the employee, or (2) in the case of an elected official making demand bank deposits of municipal funds, said official first files, with the clerk of the city or town, a statement making full disclosure of such financial interest, or (3) the particular matter involves a determination of general policy and the interest of the municipal employee or members of his/her immediate family is shared with a substantial segment of the population of the municipality.

Municipal Employees; Financial Interest in Contracts; Holding One or more Elected Positions

A municipal employee who has a financial interest, directly or indirectly, in a contract made by a municipal agency of the same city or town, in which the city or town is an interested party of which financial interest he/she has knowledge or has reason to know, shall be punished by a fine of not more than three thousand dollars or by imprisonment for not more than two years, or both.

This section shall not apply if such financial interest consists of the ownership of less than one per cent of the stock of a corporation.

Beverly City Charter, Article 4-1 (d); M.G.L. Chapter 268A, Sections 19 & 20

Adopted: March 13, 2000
Revised: December 12, 2007

10. SCHOOL COMMITTEE INTERNAL ORGANIZATION

Officers are elected at the organizational meeting held the first week in January in the year following their election to serve during the ensuing term of office. When this date falls on a legal holiday, the meeting shall be held on the following day. The Superintendent presides until a president is elected. The Executive Secretary to the School Committee serves as Secretary, pro tempore.

President: Nominations are received from the floor. After nominations are closed, the role is called, the votes are tallied, and the results are announced by the Secretary pro tempore. The newly elected president assumes the duties of presiding officer. The president must be a ward representative. Vice President and Secretary are elected in the same manner as the President.

Beverly City Charter: Article 4

Adopted: March 13, 2000
Revised: December 12, 2007

11. SCHOOL COMMITTEE OFFICERS - POWERS AND DUTIES

Duties of the President

The School Committee president shall have the same powers to vote upon all measures coming before the School Committee as any other member of the School Committee. The School Committee president shall perform such other duties consistent with the office as may be provided by charter, by ordinance, or by other vote of the School Committee. In carrying out these responsibilities, the president will:

- Sign the instruments, acts, and orders necessary to carry out state requirement and the will of the Committee;
- Consult with the Superintendent in the planning of the Committee's agenda;
- Confer with the Superintendent on crucial matters that may occur between Committee meetings;
- Appoint all members of all committees of the School Committee, whether special or standing;
- Call special meetings of the Committee as found necessary;
- Be public spokesperson for the Committee at all times except as this responsibility is specifically delegated to others.
- Preside at all meetings of the School Committee, regulate its proceedings, and decide all questions of order. As presiding officer, the president will:
 - Call the meeting to order at the appointed time;
 - Announce the business to come before the Committee in its proper order;
 - Enforce the Committee's policies relating to the order of business and the conduct of meetings;
 - Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
 - Explain what the effect of a motion would be if this is not clear to members;
 - Restrict discussion to the questions when a motion is before the Committee;
 - Answer all parliamentary inquiries;
 - Put motions to a vote, stating definitely and clearly the vote and result thereof.

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Duties of the Vice President

The vice president of the Committee will act in the absence of the president as presiding officer of the Committee and will perform such other duties as may be delegated or assigned to this office. The vice president will chair at least one standing committee unless he/she requests otherwise.

Duties of the Secretary

The secretary will keep or cause to be kept an accurate journal of all Committee meetings; will comply with state law and Committee policy regarding notification of meetings; will render such reports as may be required by the state or the city; sign officially sanctioned correspondence for the Committee; and perform such other duties as may be delegated or assigned to this office.

M.G.L. Chapter 71, Section 36 Beverly City Charter: Article 4

Adopted: March 13, 2000
Revised: May 11, 2005

12. SCHOOL COMMITTEE POWERS AND DUTIES; RELATIONSHIP WITH THE SUPERINTENDENT

Those who govern and administer the commonwealth's public schools must share a vision, a clear purpose, and the ability and courage to lead.

The School Committee of the City of Beverly acts as the agent of the Commonwealth in the operation of educational facilities within its jurisdiction. It is responsible for the fulfillment of statutory mandates, and the acceptance or rejection of permissive legislation. In any and all cases not otherwise determined by statute or regulation of the Board of Education, the Committee considers itself the responsible agent in the establishment and appraisal of educational activities in the public schools of Beverly, with the advice of the Superintendent and the will of the people always taken into consideration.

A school committee must be responsive to its constituencies in governance, sensitive to the diverse needs of all learners, an advocate for students and learning before the people of the community, and a vigorous ambassador for public education before all citizens.

Strong collaborative leadership from school committees and superintendents must be a driving force in dealing with the direct and indirect challenges facing our society and our schools. A superintendent must display excellence as an educational leader, be politically sophisticated, aware of and active in legislative developments, possess an extensive knowledge of federal and state laws, and personify effective communication.

Communication is the centerpiece of effective school committee-superintendent relationships and is the foundation that will nurture a climate conducive to growth. When roles are clear and relationships are sound, communities feel a sense of confidence in their school leadership, which in turn enhances the education of all students in the community.

Harmonious and productive relationships between school committees and superintendents will flourish if two-way communication is established and maintained. Such teamwork will work to enhance and improve the Commonwealth's schools, enriching the lives of all Beverly students.

Policy

School Committee

- Establish and periodically review educational goals and policies for the schools in the district, consistent with the requirements of law and the statewide goals and standards established by the Board of Education. Policies should be reflective of the fact that the school committee has oversight of and responsibility for the school system, the direction in which the system must go, and the criteria to determine if its goals and policies are being met. All policies shall be reviewed at least every three years.

Superintendent

- Develop and inform the committee of administrative procedures required to implement committee policies.
- Present policy options, along with specific recommendations, to the school committee when circumstances require the committee to adopt new policies or review existing policies.

Finance

School Committee

- Review and approve a budget for education in the district according to a process and timeline developed with the superintendent.
- Work to ensure that necessary funds are appropriated for the district and that a balance is maintained between needs and resources in the distribution of available monies. Oversee the operation of the annual school budget.
- Establish and transmit to the Mayor and City Council an annual budget sufficient to adequately meet the educational needs of the students enrolled in the Beverly Public Schools.
- Establish and maintain school transportation and food service programs for students

residing in Beverly, in accordance with the laws of the Commonwealth of Massachusetts.

Superintendent

- Develop a timeline and recommend to the school committee the system's educational goals and annual school budget. Oversee the operation of the annual school budget. Provide monthly updates to the school committee. Provide early notice of any potential budget overruns and recommendations for mitigation of such overruns.

Facilities

School Committee

- Provide facilities that will ensure the best possible environment for teaching and learning and which meet all safety and handicapped accessibility requirements.
- Present recommendations to the City Council for the purchase of school sites and the erection of new buildings and/or additions.
- Approve architectural plan for all new school buildings and/or additions.
- Authorize a closing study according to district policy and, upon recommendation from the Superintendent, determine whether to close a school building.

Superintendent

- Provide annual enrollment projections for the district.
- Develop recommendations to the School Committee to ensure the best possible environment for teaching and learning and to meet all safety and handicapped accessibility requirements.
- Facilitate the work of any study regarding the purchase of school sites and the erection of new buildings and/or additions and the development of architectural plans for all new school buildings and/or additions and present recommendations to the School Committee.
- Facilitate the work of any study to close a school building and present recommendations to the School Committee.

Staffing

School Committee

- Appoint the superintendent.
- Appoint assistant/associate superintendents, school business administrator, and legal counsel, upon the recommendation of the superintendent. Consent to hiring based on the superintendent's recommendation should not be unreasonably withheld.
- Set compensation for the superintendent and overall compensation limits for other administrators not engaged in collective bargaining.
- Prescribe additional qualifications for educator positions, beyond basic certification.
- Discipline or terminate the employment of the superintendent, in accordance with state law and the terms of the contract of employment.

Superintendent

- Appoint, discipline and discharge administrators, principals, and staff not assigned to particular schools.
- Review and approve principal's hires of all teachers, athletic coaches and other personnel assigned to a particular school, consistent with district personnel policies and budgetary restrictions. Initiate or review and approve discipline or discharge of all staff.

Collective Bargaining

School Committee

- Act as employer of school employees for collective bargaining purposes.
- Designate a negotiator or negotiating team. Receive advice from the superintendent about educational consequences of bargaining positions.

Superintendent

- Serve as a resource in collective bargaining.
- Assure adherence to all collective bargaining agreements.

Performance Standards

School Committee

- Establish, upon the recommendation of the superintendent, the performance standards for teachers and other employees of the school district.
- Evaluate the performance of the superintendent.

Superintendent

- Assure the evaluation of personnel and provide training for evaluators in harmony with district policy.
- Develop performance standards for all staff that are in keeping with school committee policy, contractual agreements and educational goals of the district.

Professional Development

School Committee

- Adopt a professional development plan for all principals, teachers and other professional staff employed by the district.
- Provide and encourage resources for school committee professional development programs that will enable school leaders to have the knowledge and skills required to provide effective policy leadership for the school system.

Superintendent:

- Implement the professional development plan adopted by the school committee for professional staff.
- Ensure that professional development activities are available to all school department employees.

School Councils

School Committee

- Review annual school improvement plan for each school in the district.
- Provide and encourage resources for school council professional development programs that will enable council members to have the knowledge and skills required to provide effective educational leadership.

Superintendent

- Review and approve annual school improvement plan for each school in the district.
- Review with principals the role of school councils and relevant activities.

Advocacy

School Committee

- Engage in advocacy on behalf of students and their schools and promote the benefits of a public school system to the community.
- Work closely, when appropriate, with other governmental agencies and bodies.
- Collaborate with other school committees through state and national school committee associations to let state legislators, members of Congress, and all other appropriate state and federal officials know of local concerns and issues.

Superintendent

- Engage in advocacy on behalf of students and their schools and promote the benefits of a public school system to the community.
- Collaborate with other administrators through national and state professional associations to inform state legislators, members of Congress, and other appropriate state and federal officials on local concerns and issues.
- Work with local and state officials to garner support for a fair and sound school budget that encompasses jointly developed committee-administration goals and priorities.

Curriculum

School Committee

- Approve adoption or major revision of curriculum and textbooks, upon the recommendation of the superintendent.

Superintendent

- Ensure a process for the development and continual refinement of the curriculum.
- Recommend major adoptions of courses or textbooks.

Governance

School Committee

- Establish educational goals and policies for the schools in the district, consistent with the requirement of law and the statewide goals and standards established by the Board of Education.
- Delegate to the superintendent the responsibilities for all administrative functions.
- Act only as a body as prescribed by law and not as individual members.

Superintendent

- Serve as the school committee's chief executive officer and preeminent educational advisor in all efforts of the committee to fulfill its school system governance role.
- Serve as a catalyst for the school system's administrative leadership team.
- Propose and initiate a process for long-range and strategic planning that will engage the committee and the community in positioning the school system for success in ensuing years.
- Ensure that the school system provides equal opportunity for all students and staff.

Communication

School Committee

- Support the development and promotion of the vision, mission, goals and strategies of the school system.
- Review prior to all school committee meetings the information provided by the superintendent and, when possible, communicate any questions or concerns to the superintendent prior to the meeting to provide an opportunity for a response.
- Consult and confer with the superintendent on all matters as they arise that concern the school system, and on which the school committee may take actions.
- Maintain open communication between the community and the schools by scheduling public meetings on a regular basis.
- Support the superintendent in all matters that conform to committee policy.

Superintendent

- Keep all school committee members informed about school operations and programs.
- Identify and articulate the needs of the school system to the school committee.
- Develop and promote a plan for achieving the mission, vision, goals and strategies of the school system.
- Provide all school committee members with appropriate background information in advance of each committee meeting.
- Develop and implement a continuing plan for working with the news media.
- Be aware of all aspects of Massachusetts education law and share all changes or amendments with the school committee in a timely fashion.
- Share responsibility with the school committee for open communication and honest discourse.
- Maintain open communication between the community and the schools.

Individual School Committee Members

The School Committee shall act as a unit; that is, decisions relative to school matters and policy shall be settled by a formal vote of the full Committee at a legally called meeting. Individual members, when not in a legally called meeting, shall have no authority to take action on School Committee matters except as empowered to act under the Committee rules.

The responsibilities of the members of the Beverly School Committee include, but are not limited to, the following:

- To have a general understanding of the school philosophy.
- To establish and maintain such types of schools and classes as deemed necessary to meet the needs of all.

- To vote and act in Committee meetings impartially for the good of the Beverly Public Schools.
- To accept the will of the majority vote in all cases and give wholehearted support to the resulting policy.
- To become familiar with the educational laws of the Commonwealth, the regulations of the State Department of Education, and the policies and regulations of the Beverly Public Schools.
- To refer complaints and concerns to the proper school authorities.
- To adhere to the School Committee Code of Ethics.

Massachusetts Association of School Committees: Roles and Responsibilities for School Committees and Superintendents
M.G.L. Chapter 71, Section 37, and Chapter 69, Section 11

Adopted: March 13, 2000
Revised: December 14, 2005

13. SCHOOL COMMITTEE SUBCOMMITTEES AND STANDING COMMITTEES

The following standing committees are appointed by the President of the School Committee for two years at the first regular School Committee meeting of the president's new term:

- Finance and Facilities
- Curriculum, Instruction and Student Life

Voting members of standing committees shall include:

- three (3) members of the School Committee
- the Superintendent of Schools or his/her designee
- two (2) citizen advisors
- one (1) staff member
- three students (Curriculum, Instruction and Student Life only, voting on student life issues only - determination of student life issues to be made by Committee Chair and Superintendent)

Any number of non-voting citizens or staff consultants may be appointed to standing committees at the discretion of the standing committee chairperson.

The following subcommittee is appointed by the president of the School Committee for two years at the first regular School Committee meeting of the president's new term:

- Negotiations and Mutual Concerns

Voting members of the Negotiations and Mutual Concerns subcommittee shall consist of:

- the School Committee President
- two (2) additional members of the School Committee
- the Superintendent of Schools and/or his/her designee(s) shall be consultants to the subcommittee

Other subcommittees may be created by a majority vote of the entire School Committee. Voting members shall be determined at the time of creation.

Appointments and Memberships

Standing and subcommittee chairpersons are appointed by the President of the School Committee for two years at the first regular School Committee meeting of the president's new term.

Chairpersons shall be responsible for maintaining records of meetings. Copies of the minutes will be maintained on file in the Superintendent's office.

Standing Committee(s) membership shall have an uneven number of voting members.

School Committee membership must be limited to a number that assures that the standing or subcommittee does not constitute a quorum of the School Committee.

Standing committee(s) membership may include private citizens (whose expertise and interest is welcome), as well as staff and faculty representatives. Citizen advisors are appointed by the president of the School Committee in consultation with the standing committee chairperson for a term of two years. The right of appointed citizen members to vote is restricted to standing committee actions. Citizen members may serve up to two additional years on a specific standing committee.

A current list of interested citizens shall be maintained by the Superintendent's office. Names shall be submitted by citizens interested in serving on committees or by School Committee members. The list will be made available to standing committee chairpersons as a basis for recommendation of individuals to

the president of the School Committee for appointment. In the event that no citizen expresses an interest in joining a standing committee, additional names will be sought through the news media.

No vote shall be taken by standing and subcommittees unless there is a majority of those eligible to vote present.

These committees may exercise the power of initiative and make an investigation in matters relating to their responsibilities, but all recommendations of these committees must be referred to the full Committee for final action.

Committee of the Whole

A Committee of the Whole, consisting of all members of the School Committee, may be formed at the discretion of the President of the School Committee when he/she deems the formation of said committees desirable to perform specific duties and functions.

Beverly City Charter: Article 4

Adopted: March 13, 2000
Revised: December 12, 2007

14. TEMPORARY AND ADVISORY COMMITTEES

Study Committees

Citizens may volunteer for any study committee that has been established by the School Committee. Selection of members of any study committee will be made by the President of the Beverly School Committee, in conjunction with the Superintendent of Schools, and then will be adopted by the School Committee.

Temporary and advisory committees may be appointed as the need arises.

Types and Functions

At such times as the Committee may desire the expertise, advice and opinions of citizens, the Chairperson may appoint an advisory committee to investigate and compile facts, assess public opinion, interview candidates and generally assist in the decision-making process.

Membership

Such committees may or may not have School Committee members as a part of their number. The extent of School Committee participation should be determined in each case by the President of the School Committee, with the approval of a majority of the School Committee.

Organization

The School Committee shall designate the chairperson of an advisory committee; however, all other organizational matters shall be left to the advisory committee itself.

Resources

The personnel, material and financial resources available to advisory committees shall be determined on an individual basis by the School Committee with the advice of the Superintendent.

Liaison

A method of liaison with the School Committee shall be determined and declared when the advisory committee is appointed.

Reporting

Advisory committees shall report either to a standing committee or to the School Committee, this matter to be determined and declared when the advisory committee is appointed.

Dissolution

An advisory committee shall be dissolved when the President or a majority of the School Committee determines that the task or the productivity of that advisory committee has terminated.

Adopted: March 13, 2000
Revised: December 12, 2007

15. 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 that 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 the 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:
 - Adoption of educational goals for the school that are consistent with state and local policies and standards;
 - Identification of the educational needs of the students attending the school;
 - Make recommendations to the principal for the development, implementation, and assessment of the curriculum accommodation plan;
 - Review of the annual school building budget;
 - Formulation of a school improvement plan that may be implemented only after review and approval by the School Committee;
 - Review of the student handbook to consider changes on the disciplinary code.
- No elected official shall sit as a member of any school council in the City of Beverly.

M.G.L. Chapter 71, Sections 59C and 38HQ ½

Adopted: March 13, 2000

Adopted: May 11, 2005

16. SCHOOL ATTORNEY

The School Committee may employ legal counsel in connection with collective bargaining with employee organizations for school employees. For legal services other than those related to collective bargaining, the Committee may utilize the services of the Beverly City Solicitor, or may consult a private attorney.

M.G.L. Chapter 71, Sections 37E and 37F

Adopted: March 13, 2000

Revised: May 14, 2008

17. SCHOOL COMMITTEE MEETINGS – OPEN MEETINGS

The public schools depend on the financial support and informed concern of the citizens they serve. In order that the public may know how their funds are allocated and how their concerns about education are being met, School Committee meetings will be conducted in open session, in accordance with "Open Meeting Law" except when certain issues require executive session, as permitted by law.

M.G.L. Chapter 39, Sections 23A, 23B and 23C

Adopted: March 13, 2000

Revised: May 14, 2008

18. ELECTRONIC CORRESPONDENCE BETWEEN 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 issues 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, to ensure compliance, the school committee president, 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 retained 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. School Committee members shall be issued a district email address for electronic correspondence,

M.G.L. Chapter 39, Sections 23A, 23B and 23C; Chapter 4, Section 7; Chapter 66, Section 10

Adopted: September 17, 2003
Revised: May 14, 2008

19. REGULAR SCHOOL COMMITTEE MEETINGS

Types of Meetings

An Organizational Meeting shall be held the first Monday in January following a local election at which time the officers of the School Committee shall be elected. When this date falls on a legal holiday, the meeting shall be held on the following day.

Regular Meetings of the School Committee shall ordinarily be held at least once per month at regular intervals (except July), subject to the recommendation of the administration and the approval of the School Committee. Regular meetings may be canceled or rescheduled as long as notice is given to all members and rescheduled meetings are posted.

Subcommittee and Standing Committee Meetings shall be scheduled as needed by each subcommittee or standing committee chairperson.

Special Meetings shall be scheduled at the discretion of the President of the School Committee.

The time and place of all regular, special and subcommittee meetings shall be posted at least forty-eight hours in advance.

M.G.L. Chapter 39, Sections 23A and 23B

Adopted: March 13, 2000
Revised: January 10, 2007

20. SCHOOL COMMITTEE EXECUTIVE SESSIONS

Executive sessions shall be held only under the conditions and for the reasons allowed by law.

The Committee may go into executive session at the request of at least two members. The presiding officer must announce the purpose of the executive session; a majority of the Committee must have voted to go into executive session; the vote must be by roll call and recorded in the minutes of the open meeting.

The law recognizes nine grounds upon which a governmental body may enter an executive session:

1. To discuss the reputation, character, physical condition or mental health rather than the professional competence of an individual.
2. To consider the discipline or dismissal of, or to hear complaints or charges brought against a public officer, employee, staff member or individual.
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the governmental body, and to conduct collective bargaining sessions or contract negotiations with non-union personnel.
4. To discuss the deployment of security personnel or devices.
5. To investigate charges of criminal misconduct or to discuss the filing of criminal complaints.
6. To consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation.
7. To comply with the provisions of any general or special law or federal grant-in-aid requirements.
8. To consider and interview applicants for employment by a preliminary screening committee if an open meeting will have a detrimental effect on obtaining qualified applicants.
9. To meet or confer with a mediator under certain conditions as stated in the law.

The Secretary of the School Committee shall seal minutes of executive session, indicating on the outside of the envelope non-confidential data.

M.G.L. Chapter 39, Sections 23A and 23B

Adopted: March 13, 2000

Revised: May 14, 2008

21. SCHOOL COMMITTEE MEETING PROCEDURES

A. Agenda Format

The Superintendent or Assistant Superintendent in conjunction with the President shall prepare the agenda for each regular and/or special meeting. Each member shall receive the agenda and appropriate supportive material at least forty-eight hours prior to the meeting. The Superintendent of Schools or Assistant Superintendent with the approval of the subcommittee chairperson shall prepare subcommittee agendas.

Development of the Agenda

The Superintendent with the approval of the President shall prepare the agenda for each regular and/or special meeting. An individual desiring that an issue be discussed should submit that request in writing to any School Committee member or to the Superintendent's office. The President will have discretion as to how these matters will be handled.

The Superintendent or the Assistant Superintendent, with the approval of the subcommittee chairperson, shall prepare the agenda for each subcommittee meeting. The bulk of the School Committee's work is done in subcommittees and citizen input sought at this level is done in a less formal fashion.

B. Quorum, Rules of order and Voting Method

Regular and/or special meetings shall be conducted in accordance with Roberts Rules of Order unless otherwise specified in policies and procedures of the Beverly School Committee. The rules of order may be suspended at any meeting until the next meeting by a vote of two-thirds of the entire School Committee. The purpose of this motion is to allow the Committee a means to suspend the rules when those rules are in the way of making progress.

A majority of the entire School Committee shall constitute a quorum. Unless a quorum is present, no action may be taken.

At the request of one member, any motion will be available in written form before a vote is taken, except for adjournment or tabling. Motions to adjourn or table shall be decided without debate. Ordinarily, business shall be transacted via a voice vote. At the request of a member, a roll call vote shall be taken.

Actions may be rescinded at a subsequent meeting. A member who voted with the prevailing side must make the motion. All members who voted with the prevailing side must be present or have received due notice that the reconsideration would be moved at this meeting. Anyone may second. The form of the motion is "I move to reconsider the vote on" Debate is allowed, and, when the debate is finished, the chair puts the question thus "As many as are in favor of reconsidering the vote on" If the motion is supported (majority vote), then the situation is as if the vote on the initial motion had never taken place. The original motion is then placed before the committee, which is then open to debate and amendment as before.

All motions brought before the Committee pertaining to certification of the annual budget, contracts resulting from negotiations with collective bargaining units and additions in personnel that were not part of the previous year's budget must have the approval of two-thirds of the members eligible to vote.

Every member present, when a question is put and voting is ordered by a roll call or a ballot, shall vote - unless the Committee, for the reason of conflict of interest as set forth below, excuses him/her. The member, in such case, shall be recorded as having been "excused".

No member shall vote on a question in which he/she has a direct personal or pecuniary interest not common to other members of the Committee. This rule does not mean that a member is prevented from voting for himself/herself for an office or other position to which members generally are

eligible, or from voting when other members are included with him/her in a motion.

The presiding officer of the Committee will vote as any other member when the vote is by roll call. In all other cases (voice, rising, or show of hands), the presiding officer can (but is not obliged to) vote whenever his/her vote will affect the result; that is, he/she can vote either to break, or to cause, a tie; or, in a case where a two-thirds vote is required, he/she can vote either to cause or to block the attainment of the necessary two-thirds.

Roll calls shall be called on a rotating basis alphabetically arranged, beginning with the member whose name begins with a letter closest to the letter A, each subsequent roll call will begin with the next name in alphabetical order. The President shall always vote last.

In any matter requiring a vote of the School Committee, the vote shall be by hand, voice, or roll call, and no secret or written ballot shall be used.

C. Minutes

As required by law, the School Committee "shall maintain accurate records, setting forth the action taken at each meeting". Further, the Committee shall make such records available "with reasonable promptness after each meeting," with the exception of records of executive session which "may remain secret as long as their publication would defeat the purposes of executive session, but no longer." *The school district's website shall be utilized as a source making agendas and minutes available to the public.*

The School Committee also directs the secretary to include in the minutes a record of all motions made, with the names of the persons presenting the motion and seconding it. This is to be recorded whether or not action is taken on the motion.

Executive Session Minutes

It is the policy of the Beverly Public Schools that the executive sessions of the Beverly School Committee be held in full compliance with the Open Meeting Law. Therefore, this policy calls for the following:

- In the draft of a meeting's agenda, the Superintendent will include individual agenda items that require the Committee to enter executive session. The phrasing of these items should be in accordance with the guidelines set by the District Attorney's office.
- The Superintendent will get the approval of the President before posting the agenda.
- The Superintendent will, if necessary, inform Committee members about the specific need for entering into an executive session, prior to the meeting.
- At each executive session, the Secretary of the Committee or his/her designee will take the minutes. At the very next executive session, the Committee will vote on whether to accept the minutes.
- As soon as the reason for going into executive session is no longer operative, the Superintendent will recommend to the President that the minutes be placed for approval on the agenda for the next regularly scheduled School Committee meeting.
- After the Committee has voted to approve the minutes, the Superintendent will release the minutes in compliance with the Open Meeting Law.

D. Public Participation at School Committee Meetings

Public participation at School Committee meetings shall be at the discretion of the presiding officer.

At any meeting of the Beverly School Committee, a citizen may state that he/she wishes to speak by so stating under "Opportunity for Citizen Input." The timing of any citizen's statement is at the discretion of the President.

No person shall present orally or discuss at any meeting of the School Committee complaints against individual members of the School Committee or the Beverly Public Schools until such time

as charges or complaints shall be presented to the School Committee in writing and shall be signed by the person or persons making the complaint

E. Posting Meetings

Postings of all regular and special School Committee meetings as well as sub-committee meetings will be made according to the requirements of the Open Meeting Law.

F. Reporting School Committee Business

No report shall be issued in the name of the School Committee without its prior approval.

G. Special Procedures for Conducting Hearings

Public Hearings

The purpose of public hearings is for the School Committee to gain input from the public on the topic of the hearing.

The School Committee President will determine that a public hearing is needed on an item of significant importance. A public hearing can be scheduled prior to a regular School Committee meeting or on a separate night.

The School Committee President will have discretion on the length of the deliberations and will determine that the citizen discussion is pertinent to the topic of the public hearing.

**M.G.L. Chapter 39, Section 23A, 23B and 23C; Chapter 41, Section 11; Chapter 66, Section; 10
Chapter 71, Section 42; Chapter 71, Section 50
Beverly City Charter: Article 4**

Adopted: March 13, 2000

Adopted: May 11, 2005

22. SCHOOL COMMITTEE POLICY PROCESS

A. School Committee Policy Development System

The School Committee is responsible for providing guidelines that direct the actions of those within its authority. These guidelines may represent totally new policies or changes in existing policies. When adopted and recorded in writing in the minutes of Committee meetings, they make up the official body of policy governing the operation of the school system. Formulation and adoption of written policy constitute the basic means by which the Committee exercises leadership and demonstrates its knowledge of the educational process.

In formulating a new policy or modifying an existing policy, the Committee shall consult individuals and groups that would be affected by its adoption. The Committee shall recognize that the execution of policy is the job of paid professional administrators. By studying and evaluating reports on the execution of policy, the Committee shall maintain its influence over school operations. Committee members are aware that changing conditions bring changing needs and, therefore, shall consider the periodic review of policy a major responsibility.

B. Policy Adoption

Any School Committee member, staff member or community resident may suggest new or revised policy for School Committee consideration, subject to the following:

- Anyone suggesting a new policy or a change in an existing policy shall provide the Superintendent of Schools with a written statement of the policy along with the justification for the proposal.
- Suggested policy will be placed on the agenda of the appropriate subcommittee or standing committee, including: Standing Committee on Curriculum and Instruction, Standing Committee on Finance and Facilities, Negotiations Subcommittee and the Policy Review Subcommittee. All proposals for amending policy will be placed on the agenda of the Policy Review Subcommittee.
- After consideration by the appropriate Standing Committee or Subcommittee, the policy proposal will be placed on a regular School Committee agenda for discussion.
- Any Proposal for a new or revised policy must be voted out of the appropriate subcommittee or standing committee in order to be considered by the School Committee.
- After a first reading, the policy will be placed on the next regular School Committee agenda for discussion.
- A new policy requires a majority vote of the entire School Committee for adoption.
- Existing policy may be amended or repealed by a two-thirds vote of the entire School Committee.
- The policy, if approved, will take effect beginning with the next regular School Committee meeting following adoption unless specifically noted otherwise.
- A policy of the School Committee is to remain in full force unless specifically changed by a two-thirds vote of the School Committee.

C. Procedure for Updating Policy Manual

The Superintendent's office is responsible for maintaining and keeping current the list of holders of Policy Manuals. Each manual will be kept up-to-date through the distribution of new or revised policies as determined by the School Committee to each manual holder. When new or revised policies are incorporated into the Policy manual, the effective date of the new or revised policy will be inserted as a footnote. The policy manual will also be maintained on the district website, including a history of policy changes.

D. Policy Revision and Review

The School Committee will follow through the policies it has formulated. It shall evaluate how the school staff has executed the policies. The School Committee shall rely on the school staff,

students and community for providing evidence of the effect of the policies that it has approved.

The School Committee shall strive to keep its policy up-to-date. To achieve this end, the School Committee shall undertake a comprehensive and ongoing review of policies through the Policy Review Subcommittee designed to ensure that each individual policy is reviewed at least every five (5) years. This does not preclude a more timely review of a policy when a substantive need for change is apparent.

E. Policy Communication

It is the intention of the School Committee that complete and up-to-date manuals of School Committee policy shall be available in the office of the Superintendent of Schools.

Policy Manual to Be at All Meetings

The Superintendent shall be responsible for a copy of the Policy Manual being present at all School Committee meetings.

Distribution of Student Policies to the Students

All policies relating to students shall be published and distributed to all students at the beginning of each school year. Such publication and distribution shall be the responsibility of the principals of the individual schools.

M.G.L. CHAPTER 71, SECTION 37H

Adopted: March 13, 2000
Revised: September 3, 2008

23. SCHOOL COMMITTEE COMMUNICATIONS

School Committee Communications With Staff

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 official 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 from administrative decisions on matters, provided that 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.

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 School

Individual School Committee members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the principals of the various schools. Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Committee members will be carried on only under Committee authorization.

Adopted: March 13, 2000

Revised: May 14, 2008

24. SCHOOL COMMITTEE MEMBER SERVICES

A. New Committee Member Orientation

A new member -- or any person designated for appointment as a new member of the School Committee -- is to be afforded the Committee's and the staff's fullest measures of courtesy and cooperation. Committee and staff shall make every feasible effort to assist the new member to become fully informed about the School Committee's functions, policies, procedures, and problems.

A meeting of the Superintendent of Schools and new members will be convened within one month after the election for the primary purpose of orienting the new member to his/her responsibilities, to the School Committee's responsibilities, method of operating, and to school district policies and problems.

Suggested topics for discussion in orientation meeting include:

- Policy manual and its use
- School Committee communications
- School Committee ethics
- Conflict of interest
- Conduct of meetings
- Policy-making, as opposed to administrative duties
- How hearings are conducted
- Duties of the various administrators
- Main issues presently being dealt with
- Pending issues

The new member is to be provided with copies of all appropriate publications and aids. The new member shall also attend MASC's orientation program.

B. Committee Member Development Opportunities

The School Committee places a high priority on the importance of a planned and continuing program of in-service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community. The School Committee will attempt to plan specific in-service activities designed to assist Committee members in their efforts to improve their skills as members of a policymaking body; to expand their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools; and to deepen their insights into the nature of leadership in a modern democratic society.

School Committee in-service needs shall be determined, approved and funds shall be budgeted annually to support those needs. Individual School Committee members shall be reimbursed for out of pocket costs incurred through participation in approved activities. The Committee as a whole shall retain the authority to approve or disapprove the participation of members in planned activities. The public shall be kept informed through the news media about the Committee's continuing in-service education and about the programs anticipated for short and long-range benefits to our schools.

The School Committee regards the following as the kinds of activities and services appropriate for implementing this policy:

- Participation in School Committee conferences, workshops, and conventions held by the state and national school committee associations.
- District sponsored training sessions for Committee members.
- Subscriptions to publications addressed to the concerns of Committee members.

C. Compensation and Expenses

The City Council may, by ordinance, provide an annual salary for the members of the School Committee. No ordinance increasing such salary shall be effective, however, unless it shall have been adopted during the first twelve (12) months of a term of office and it provides that such salary is to take effect with the organization of the city government following the next biennial election.

D. Indemnification of Committee Members

As provided for under Chapter 41, Section 101 of the General Laws of the Commonwealth of Massachusetts, the School Committee shall budget the appropriate sum of monies each fiscal year to permit the acquisition of indemnification insurance for all members of the School Committee in accordance with the provisions set forth in the law.

M.G.L. Chapter 71, Section 52
Beverly City Charter: Article 4, Section 4-1E

Adopted: March 13, 2000
Revised: May 14, 2008

25. SCHOOL COMMITTEE MEMBERSHIPS

Realizing the value of membership in an organization that provides services such as legislative bulletins and workshops for School Committee members, the Beverly School Committee shall annually renew membership in the Massachusetts Association of School Committees (MASC) and the National School Boards Association (NSBA).

Attendance at regional, state and national conferences sponsored by School Committee associations shall be encouraged and expenses shall be paid out of available funds at the direction of the School Committee.

Adopted: March 13, 2000

Revised: May 14, 2008