

SECTION – B

BOARD GOVERNANCE AND OPERATIONS

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BA - SCHOOL COMMITTEE OPERATIONAL GOALS

The Freetown-Lakeville School Committee (FLRSC) is responsible to the people for whose benefit the school system has been established. The FLRSC current decisions will influence the course of education in our schools for years to come. The FLRSC 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 Freetown-Lakeville School Committee's primary responsibility is to establish those purposes, programs, and procedures that will best produce the educational achievement needed by our students. The FLRSC is charged with accomplishing this while also being responsible for wise management of resources available to the school system. The FLRSC 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 technique will involve:

1. Periodically setting performance objectives for the FLRSC 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

BAA - EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

The Freetown-Lakeville School Committee (FLRSC) 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 FLRSC 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 FLRSC 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 FLRSC 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.

State law provides that:

Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its registered voters the following town officers for the following terms of office:

. . . Three, five, six, seven or nine members of the School Committee for terms of three years . . .

The FLRSC is the governing board of the town's public school system. Although its functions as a duly elected committee of town government, the FLRSC has, unlike other town boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

LEGAL REFS.: M.G.L. 41:1 and 71:37 specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFS.: AA, School District Legal Status
BBA, School Committee Powers and Duties

BB - SCHOOL COMMITTEE LEGAL STATUS

State law provides that:

Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its registered voters the following town officers for the following terms of office:

. . . Three, five, six, seven or nine members of the School Committee for terms of three years . . .

The School Committee is the governing board of the town's public school system. Although it functions as a duly elected Committee of town government, the School Committee has, unlike other town boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

Established by law

LEGAL REFS.: M.G.L. 41:1 and 71:37 specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFS.: AA, School District Legal Status

BBA, SCHOOL COMMITTEE POWERS AND DUTIES

NOTE: A statement under this code is usually statutory and informational in nature, not a "policy" in the strict sense of the word. Include under this code the number of School Committee members and the length of a regular term.

Town or city charters and ordinances often establish the composition of the School Committee and set forth provisions for the election of Committee members. Such details should be incorporated into a statement in this category. References to the pertinent section(s) of the charter or ordinances should be added to the legal references as was done with the policy above.

Regional school districts are created in accordance with state law and the regional agreement approved by the member towns. Therefore, a policy on the legal status of a regional School Committee would be different from the sample policy above. At this code, regional school districts often include the number of members elected from each town and the term of office. Pertinent sections of the regional agreement are often cited with the legal references, which, in the case of a regional school district, would include M.G.L. 71:14B and 71:16A. A policy in this area for a School Committee that is a member of a superintendency union also would vary from the above sample. A reference to M.G.L. 71:63 would be required. The cross references are to related codes in the NEPN classification system.

BBA - SCHOOL COMMITTEE POWERS AND DUTIES

The Freetown-Lakeville School Committee (FLRSC) 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 FLRSC takes a broad view of its functions. It sees them as:

1. Legislative or policy making. The FLRSC 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 FLRSC is responsible for evaluating the effectiveness of its policies and their implementation.
3. Provision of financial resources. The FLRSC is responsible for adoption of a budget that will enable the school system to carry out the FLRSC policies.
4. Public relations. The FLRSC 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 FLRSC is responsible for establishing educational goals and policies that will guide the FLRSC 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

BBAA - SCHOOL COMMITTEE MEMBER AUTHORITY

Authority

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

The FLRSC 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 of the FLRSC.

No member of the FLRSC, 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 FLRSC 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 FLRSC 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 town'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 proper school authorities.
10. To comply with the accepted code of ethics for School Committee members.

BBBA/BBBB - SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

The Town Clerk will newly qualified Committee members--by law--receive, and sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

Membership on a School Committee is not limited to race, color, gender, religion, national origin, disability, or sexual orientation.

LEGAL REFS.: M.G.L. 39:23B; 41:1; 41:107
M.G.L. 76:5 Amended 1993

BBBC - SCHOOL COMMITTEE MEMBER RESIGNATION

A current Freetown-Lakeville Regional School Committee (FLRSC) member who submits a resignation to the appropriate certifying authority terminates School Committee duties at the time of such resignation unless a later time is stated in the resignation.

Should a FLRSC member move out of the town or District in which he or she holds office, that member shall be deemed to have vacated the office.

Established by law

LEGAL REFS.: M.G.L. 41:2; 41:109

BBBE - UNEXPIRED TERM FULFILLMENT/VACANCIES

If a vacancy occurs among the appointed members, the local School Committee of the member town involved shall within thirty days appoint a member from its own membership to serve for the balance of the unexpired term. If a vacancy occurs among elected members, the selectmen and the remaining Committee members from the town involved shall within thirty days appoint a member to serve until the next annual town election, at which election a successor shall be elected to serve for the balance of the unexpired term, if any.

BCA - 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; and (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.

BD - ORGANIZATION OF REGIONAL SCHOOL COMMITTEE

A. Composition

The Freetown-Lakeville Regional School Committee (FLRSC) shall consist of six members, three from each member town except that following acceptance of this agreement by the two member towns the original FLRSC shall be appointed as provided in Section IE. Of the three members from each member town, two shall be elected members and one shall be an appointed member. Elected members shall be those elected at annual town elections. Appointed members shall be those appointed by the local School FLRSC of each member town.

B. Elected Members

Commencing with the annual town election of 1958 each member town shall elect two members to serve on the FLRSC of whom one shall serve for a period of one year and one shall serve for a period of three years. Thereafter, at the expiration of the term of office of an elected member, the member town concerned shall, at its annual election, elect one member to serve for a term of three years or until his/her successor is elected and qualified. Nothing herein contained shall prevent a member of the local School Committee of a member town from serving on the FLRSC as an elected member.

C. Appointed Members

Immediately after each annual town election, commencing with the annual election of 1958, the local FLRSC of each member town shall appoint from its own membership one member to serve on the FLRSC for a term of one year or until his/her successor is appointed and qualified.

D. Interim Committee

Within ten days after the establishment of the Regional School District, the moderator of each member town shall appoint three members, all of whom shall have been members of the regional school district planning board which submitted this agreement (unless no such persons are available), and the six members so appointed shall serve until their successors are appointed, elected and qualified and provided in Section I B. and Section I C.

BDA - SCHOOL COMMITTEE ORGANIZATION MEETINGS

Promptly upon the appointment and qualification of the original members and annually thereafter upon the annual election, appointment and qualification of successors, the Freetown-Lakeville Regional School Committee (FLRSC) shall organize and choose by ballot a Chairperson from its own membership. At such meeting or at any other meeting the said FLRSC shall appoint a treasurer, Vice-Chairperson and secretary who may be the same person but who need not be members of the FLRSC, choose such other officers as it deems advisable, and determine the terms of office and prescribe the powers and duties of any of its officers. At the organization meeting the FLRSC shall fix the time and place for its regular meetings and for the first annual meeting. At every annual meeting the FLRSC shall again fix the time and place for its regular meetings and for the succeeding annual meeting. The FLRSC may provide for the calling of special meetings.

It is the practice of the FLRSC to alternate the chairperson position between Freetown and Lakeville annually.

Note: The Town Treasurer serves as the FLRSC Treasurer for the Freetown and Lakeville Elementary School Committees. The Freetown-Lakeville Regional School Committee appoints a treasurer annually.

BDB - SCHOOL COMMITTEE OFFICERS

Duties of the Chairperson.

The Chairperson of the Freetown-Lakeville Regional School Committee has the same powers as any other member of the FLRSC to vote upon all measures coming before it, to offer resolutions and to discuss questions. He/she will perform those duties that are consistent with his/her office and those required by law, state regulations, and this FLRSC. In carrying out these responsibilities, the Chairperson will:

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 FLRSC agendas
3. Confer with the Superintendent on crucial matters that may occur between FLRSC meetings
4. Appoint subcommittees, subject to Committee approval
5. Call special meetings of the FLRSC as found necessary
6. Be public spokesman for the FLRSC at all times except as this responsibility is specifically delegated to others
7. Be responsible for the orderly conduct of all FLRSC meetings.

As presiding officer at all meetings of the FLRSC, the Chairperson will:

1. Call the meeting to order at the appointed time, with the exception of the annual organizational meeting.
2. Announce the business to come before the FLRSC in its proper order
3. Enforce the FLRSC policies relating to the order of business and the conduct of meetings
4. Recognize persons 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 FLRSC
7. Answer all parliamentary inquiries
8. Put motions to a vote, stating definitely and clearly the vote and result thereof.

Duties of the Vice-Chairperson

The Vice-Chairperson of the FLRSC will act in the absence of the Chairperson as presiding officer of the Committee and will perform such other duties as may be delegated or assigned to him/her.

Secretary

The secretary will keep or cause to be kept an accurate journal of all FLRSC meetings; will comply with state law and FLRSC policy regarding notification of meetings; and will render such reports as may be required by the state or the town.

LEGAL REFS.: M.G.L. 71:36

Note: The Town Treasurer serves as the FLRSC Treasurer for the Freetown and Lakeville Elementary School Committees. The Freetown-Lakeville Regional School Committee appoints a treasurer annually.

BDC - APPOINTED COMMITTEE OFFICIALS

The Superintendent shall be elected by the Freetown-Lakeville Regional School Committee (FLRSC) as provided by law and shall serve as secretary and perform all the duties that are prescribed by law and such other duties, not inconsistent there to, as majority of the FLRSC may direct.

BDD - SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

The Freetown-Lakeville Regional School Committee (FLRSC) 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 FLRSC reserves to itself the ultimate decision of all matters concerning general policy or expenditures of funds, it will normally proceed in these areas after receiving recommendations from its executive officer. Further:

1. The Superintendent will have the privilege of asking guidance from the FLRSC 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 FLRSC for advice and direction.
2. The Superintendent will assist the FLRSC in reaching sound judgments and establishing policies, and will place before the FLRSC all relevant facts, information, and reports necessary to keep the FLRSC adequately informed of situations or business at hand.

BDE - SUBCOMMITTEES OF THE SCHOOL COMMITTEE

The Freetown-Lakeville School Committee (FLRSC) will have no standing committees. It may, however, establish special subcommittees at its annual organizational meeting. These subcommittees may be created for a specific purpose and to make recommendations for FLRSC action.

1. The subcommittee will be established through action of the FLRSC.
2. The subcommittee Chairperson and its members will be appointed by the FLRSC Chairperson, subject to approval by the FLRSC.
3. The subcommittee will be provided with a list of its functions and duties.
4. The subcommittee may make recommendations for FLRSC action, but it may not act for the FLRSC.
5. The FLRSC Chairperson and Superintendent will be ex-officio members of all special subcommittees.
6. A subcommittee will be dissolved by the FLRSC upon completion of its assignment, or it may be dissolved by a vote of the FLRSC at any time.

CROSS REF.: BEC, Executive Sessions

BDF - ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE

The following general policies will govern the appointment and functioning of advisory committees to the Freetown-Lakeville Regional School Committee (FLRSC) 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 Freetown-Lakeville Regional School Committee (FLRSC) 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 FLRSC.
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 FLRSC; appointment of staff members to such committees will be made by the FLRSC upon recommendation of the Superintendent. All committees established by the FLRSC will be subject to the provision of the Open Meeting Law.
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 FLRSC wishes the committee to fulfill and the extent and limitations of its responsibilities.
 - c. The resources the FLRSC will provide.
 - d. The approximate dates on which the FLRSC wishes to receive major reports.
 - e. FLRSC policies governing citizens, committees and the relationship of these committees to the FLRSC as a whole, individual FLRSC 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 FLRSC 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 FLRSC 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

LEGAL REF.: M.G.L. Ch. 23 A, 23B, 23 C

BDFA - SCHOOL COUNCILS

The Freetown-Lakeville Regional School Committee (FLRSC) 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 FLRSC. 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 FLRSC. 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 FLRSC. If the school improvement plan is not reviewed within 30 days of receipt the plan shall be deemed to have been approved.

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

BDFA-E-1 - 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 Freetown-Lakeville Regional School Committee (FLRSC). 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 FLRSC.
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 FLRSC policy.

BDFA-E-2 - SUBMISSION AND APPROVAL OF THE SCHOOL IMPROVEMENT PLAN

The written school improvement plan shall be submitted by the Principal to the Superintendent and the Freetown-Lakeville Regional School Committee (FLRSC) for review and approval by October 1st of each year. Because the implementation of the plan is dependent on FLRSC approval, it is important that the school council be aware of certain expectations of the FLRSC 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 and FLRSC, 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 school improvement plan is not reviewed by the FLRSC within 30 days of its receipt by the FLRSC, the plan shall be deemed to have been approved.

BDFA-E-3 - 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.

Consensus shall be used by school councils as the primary method to resolve issues and to formulate recommendations. Votes by majority may be taken at the discretion of the Principal and Roberts' Rules of Order shall prevail if there are questions of procedure.

All meetings of the school council shall conform to the Open Meeting Law, Section 23 A, B, and C, which stipulates 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 Freetown-Lakeville Regional School Committee for information.

BDG - SCHOOL ATTORNEY

The Freetown-Lakeville School Committee (FLRSC) 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 FLRSC may also retain an attorney or law firm to provide additional legal services.

It will be the duty of the counsel for the FLRSC to advise the Superintendent on the specific legal problems submitted to him/her. He/she will attend meetings upon request and will be sufficiently familiar with FLRSC 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 shall be made by the FLRSC. The Superintendent may also take such action at the direction of the FLRSC.

Many types of legal assistance are routine and do not require specific FLRSC 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 FLRSC and seek either initial or continuing authorization for such service.

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

BE - SCHOOL COMMITTEE MEETINGS

The Freetown-Lakeville School Committee (FLRSC) will transact all business at official meetings of the Committee. These may be either regular or special meetings, defined as follows:

1. Regular meeting: the usual official legal action meeting, held regularly
2. Special meeting: an official legal action meeting called between scheduled regular meetings to consider specific topics.

Every meeting of the FLRSC, regular or special, will be open to the public unless an executive session is held in accordance with state law.

LEGAL REFS.: M.G.L. 39:23A; 39:23B; 39:23C

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

BEC - EXECUTIVE SESSIONS

All meetings of the Freetown-Lakeville School Committee (FLRSC) 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 FLRSC will first convene in an open session for which due notice has been given.
2. The motion to enter into executive session will state the purpose for the executive session.
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 motion will state before entering the executive session whether the FLRSC 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 FLRSC 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.
2. The discipline or dismissal, including the hearing of charges against, a member of the FLRSC, a school department employee or student, or other individual.
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 (The only position that the School FLRSC 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.
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 government body as an energy supplier.

(In the first two cases listed, an open meeting will be held if the individual involved so requests with 48 hour notice.)

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.

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 FLRSC policy

SOURCE: MASC
UPDATED: June 2012
LEGAL REFS.: M.G.L. 30A:21; 30A:22
CROSS REFS.: BDE, Subcommittee of the School Committee
BE, School Committee Meetings
KEB, Public Complaints about School Personnel

BEDA - NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

As required by law, a minimum of 48 hours' advance notice will be given for any meeting of the School Committee, including all subcommittee meetings. The only exception permitted is in case of emergency, which the law defines as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action."

Notification of the dates, times, and places of regular meetings will be accomplished by periodic publication of the schedule for the ensuing months. Notification of a change in a regular meeting time or place and notification of a special meeting will be filed with the town clerk at least 48 hours in advance, as required by law.

LEGAL REFS.: M.G.L. 39:23A; 39:23B

CROSS REF.: BE, School Committee Meetings

BEDB - AGENDA FORMAT

The Superintendent, conferring with the Chairperson of the School Committee, will arrange the order of items on meeting 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.

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

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 made available.

BEDC - QUORUM

The quorum of the Freetown-Lakeville Regional School (FLRSD) Committee for the transaction of business shall be four, but a lesser number may adjourn.

The quorum of the FLRSC for the transaction of business shall be six.

BEDD - 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.

BEDF - VOTING METHOD

Except on procedural matters, all votes of the Freetown-Lakeville School Committee will be taken by voice vote or a call of the roll and the ayes, nays will be recorded in the minutes; if the vote is unanimous only that fact need be recorded.

All actions will require a majority vote of all members present and voting except as state law, Robert's Rules of Order, Newly Revised, or policies of this committee require a larger majority. A majority of the members of the School Committee will constitute a quorum.

A two-thirds vote will be required to suspend parliamentary rules of order.

LEGAL REFS.: M.G.L. 39:23B; 71:42; 71:50

BEDG - MINUTES

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

Minutes will include:

1. A statement on the nature of the meeting (regular or special), the time, the place, and the approval of the last regular and each subsequent special meeting.
2. Names of the members present or absent, annotated as to arrival and departure times, if during the meeting.
3. 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.
4. 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.

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.

LEGAL REFS.: M.G.L. 39:23B; 66:10

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

BEDH - PUBLIC PARTICIPATION AT SCHOOL COMMITTEE MEETINGS

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desires citizens of the district to attend its meetings so that they may become better acquainted with the operations and the programs of our local public schools. In addition, the Committee would like the opportunity to hear the wishes and ideas of the public.

In order that all citizens who wish to be heard before the Committee have a chance and to insure the ability of the Committee to conduct the district's business in an orderly manner, the following rules and procedures are adopted:

1. Topics for discussion must be limited to those items listed on the School Committee meeting agenda for that evening.
2. Improper conduct and remarks will not be allowed. Defamatory or abusive remarks are always out of order. If a speaker persists in improper conduct or remarks, the Chairperson may terminate that individual's privilege of address.
3. All remarks will be addressed through the Chairperson of the meeting.
4. Speakers may offer such objective criticisms of the school operations and programs as concern them, but in public session the Committee will not hear personal complaints of school personnel nor against any member of the school community. Under most circumstances, administrative channels are the proper means for disposition of legitimate complaints involving staff members.
5. Written comments longer than three (3) minutes may be presented to the Committee before or after the meeting for the Committee members' review and consideration at an appropriate time.

BEE - SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

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

1. Give due and public notice in line with statutory requirements and 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 will preside at the hearing.

The public will 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 comment, 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 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.

LEGAL REFS.: M.G.L. 39:23A, 23B, 23C

BG - SCHOOL COMMITTEE POLICY DEVELOPMENT

The Freetown-Lakeville School Committee will develop policies and put them in writing so that they may serve as guides for the discretionary action of those to whom it delegates authority.

The formulation and adoption of these written policies will constitute the basic method by which the School Committee will exercise its leadership in providing for the successful and efficient functioning of the school system. Through the study and evaluation of reports concerning the execution of its policies, the School Committee will exercise its control over school operation.

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

Policies are principles adopted by a School Committee 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 day-to-day problems, yet be specific enough to give clear guidance.

The policies of the School Committee are framed, and are meant to be interpreted, in terms of state law, regulations of the Massachusetts Board of Education, and other regulatory agencies of the various levels of government.

BGB - POLICY ADOPTION

Adoption of new policies or changing existing policies is solely the responsibility of the Freetown-Lakeville School Committee. Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the School Committee when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as an agenda item to the Committee in the following sequence:

1. Information item -- distribution with agenda
2. Discussion item -- first reading of proposed policy or policies; response from Superintendent; report from any Advisory Committee assigned responsibility in the area; Committee discussion and directions for any redrafting
3. Action item -- discussion, adoption or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Committee so directs.

The School Committee may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the School Committee. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation.

BGC - 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.

BGD (CHB) - 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 regulations 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

BGE - 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.

All policy manuals distributed to anyone will remain the property of the Committee and will be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary for purposes of updating.

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

BGF - 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.

BHC - SCHOOL COMMITTEE-STAFF COMMUNICATIONS

The Freetown-Lakeville 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 from 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 should 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.

BHE - 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

BIA - 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 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

BIBA - SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

To provide 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. The Committee will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school system. 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.

LEGAL REFS.: M.G.L. 40:5

BID - SCHOOL COMMITTEE MEMBER SERVICES AND EXPENSES

No member of a Freetown-Lakeville School Committee in any town shall be eligible to the position of teacher, or Superintendent of public schools therein, or in any union school or superintendency union or district in which his/her town participates.

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Committee, members may be reimbursed from school funds.

Reimbursable expenses may include the cost of attendance at conferences of School Committee associations and other professional meetings or visitations when such attendance and expense payment has had prior School Committee approval.

LEGAL REFS.: M.G.L. 40:5; 71:52

BJ - SCHOOL COMMITTEE LEGISLATIVE PROGRAM

The Freetown-Lakeville 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.

BK - SCHOOL COMMITTEE MEMBERSHIPS

The Committee will maintain memberships in the national, state and regional School Committees (boards) associations and take an active part in the activities of these groups.

It may also maintain institutional memberships in other educational organizations, which the executive officer and Committee find to be of benefit to members and personnel.

The materials and benefits of institutional memberships will be distributed and used to the best advantage of the Committee and the staff.