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PERSONNEL POLICIES
(4000 SERIES)

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General Policy

The Belmont Public Schools supports a student centered, creative, and flexible learning environment. The personnel policies of the Belmont Public Schools reflect this philosophy and guide the recruitment, selection, training and support of highly qualified and committed administrators, teachers and support staff.

Recruitment and Selection

The Belmont Public Schools meets its employment needs through systematic recruitment, selection, and career support programs that identify, attract, and select from the most qualified applicants for school employment, and encourage diverse representation at all occupational levels. The Belmont Public Schools is an equal opportunity employer.

The Superintendent will insure that a broad range of recruitment sources and professional networks will be utilized to provide the most qualified and diverse pool of candidates possible. Current employees may apply for any position for which they are qualified.

The Superintendent, with the assistance of the administrative staff, shall determine the personnel needs of the Belmont Public Schools. The School Committee must approve the creation or elimination of a position.

There shall be a job description for each position within the Belmont Public Schools which shall include the qualifications, duties, essential functions, licensure requirements and expectations for the position.

A personal interview will be required for all candidates for employment by the Belmont Public Schools.

The Belmont Public Schools shall conduct a thorough background check including a Criminal Offender Record Information (CORI) investigation, and will review the employment history for all final candidates for positions.

Final appointment to any position is contingent upon a recent physician's certificate of ability to perform the essential functions of the position.

The Superintendent must approve all appointments.

Legal Reference:

MGL C 71 sec. 38G

38R

603 CMR 35.00 et seq

Process for Recruitment and Selection, available at the Human Resources section of the Belmont Public Schools Website.

Appointment of Personnel

Pursuant to Massachusetts Law, the School Committee appoints the Superintendent of Schools, the administrator of special education and the school physician.

The Superintendent appoints the central office staff, principals and curriculum directors.

The Principals appoint the personnel who work exclusively in their buildings, subject to the approval of the Superintendent. The Principals will work cooperatively with the Curriculum Directors, where appropriate, to locate and appoint suitable candidates for employment.

The Human Resource Director appoints all short-term substitutes.

All personnel newly appointed to the Belmont Public Schools will receive appropriate orientation to the district and to the position to which they are appointed.

Appointments will be reported to the School Committee.

Reference:

MGL 71 : 37
37L
38
40
41
47A
59

Conflict of Interest and Code of Conduct

All persons employed by the Belmont Public Schools are municipal employees and are subject to the provisions of Massachusetts General Laws Chapter 268A: "Conduct of Public Officials and Employees" (Massachusetts conflict of interest law).

Professional staff shall adhere to any code of conduct or ethics that applies to their profession.

No school employee may accept from individuals or companies any commission, gift or gratuity of substantial value, as defined by the Massachusetts Ethics Commission.

No administrator may supervise or evaluate an employee to whom s/he is related as defined in Massachusetts law

The Superintendent shall establish such procedures as may be necessary to implement this policy and comply with requirements of the state conflict of interest laws.

References:

MGL: 268A, Conduct of Public Officials and Employees

Staff Transfer

The Superintendent has the right to transfer personnel throughout the system provided that such transfer is consistent with the provisions of any individual or collectively bargained agreements and applicable state or federal law.

In making such transfers, the Superintendent will consider the employee's qualifications, the needs of the school system and the employee's expressed preferences.

Within an individual school, the principal will have the authority to assign classes and courses, provided that teachers assigned have appropriate qualifications.

Leaves and Absences

Leaves and absences for contractual employees of the Belmont Public Schools shall be granted in accordance with either individual or collectively bargained agreements. Leaves and absences for non-contractual employees shall be granted in accordance with guidelines established by the Superintendent. Policy on leaves and absences for all employees shall be consistent with applicable state and federal law and regulations.

Reference:

MGL C 149 sec. 52D Family & Medical Leave Act
Small Necessities Leave Act
sec. 105D Maternity Leave

29 USC 2601et.seq.; Family and Medical Leave Act of 1993
Americans with Disabilities Act of 1990

Terms and Procedures for leave pursuant to Family and Medical Leave Act, available from Human Resources Manager

603 CMR Part 35.00

Resignation and Retirement

All personnel who intend to resign or retire must do so by submitting a written notice of intent to the Superintendent. All resignations and retirements shall be acknowledged in writing by the Superintendent. For non-contractual employees, resignations and notice of retirement shall become effective 30 days from the date of submission. For contractual employees, requests for release from contract status are governed by the terms of individual or collectively bargained agreement.

The Superintendent has the authority to dismiss or demote any employee. A Principal may dismiss or demote any employee assigned to his or her school, subject to the review and approval of the Superintendent. All such dismissals or demotions shall be governed by applicable state and federal law and the provisions of individual or collectively bargained agreements.

Reduction in Force

If the School Committee makes a determination that a reduction in force is necessary, or that a particular type of service should be discontinued, such reduction in force will be conducted in accordance with applicable Massachusetts law and individually or collectively bargained agreements.

Legal Reference:
MGL C. 71 ss. 41&42

Staff Extra-Compensatory Positions

Assignments that are to be accorded extra compensation, such as coaches, club advisors, etc. will be designated by the School Committee from year to year. Appointments to these positions will be made by the Superintendent for district-wide positions or by the Principal with the approval of the Superintendent for building based personnel. The amount of initial compensation for the position will be established by the School Committee at the time the position is created. Opportunities for extra compensatory positions will be publicized to the staff. No staff member will be required to accept an extra compensatory position.

Personnel Records

The Belmont Public Schools shall maintain a personnel record for each employee. The Superintendent is the official custodian for personnel records and has overall responsibility for ensuring the privacy, confidentiality and security of all employee records in accordance with all applicable federal and state laws and regulations.

The Superintendent shall establish procedures in accordance with applicable Massachusetts law governing the identification, description, accuracy and security of personnel records as well as access by employees and by persons authorized by the Superintendent for legitimate administrative needs.

Reference:

MGL 71: 42C

149: 52C

Professional Development

The Superintendent shall, in accordance with applicable Massachusetts law, plan and budget for activities and materials which are necessary for the continued professional development of the staff. Approval of budgets for such activities and materials shall constitute approval for the operating of such programs.

Reference:

MGL 71: 38Q

20 USC 6301 et. seq;

PL 107-110 No Child Left Behind Act of 2001

Evaluation

All contractual employees of the Belmont Public Schools shall be evaluated in accordance with applicable Massachusetts law and the terms of their individual or collectively bargained agreements, utilizing procedures established by such agreements or by the Superintendent. Non-contractual employees shall be evaluated utilizing procedures established by the Superintendent.

Reference:
MGL 71: 38

Policy 8002: School Committee Powers and Duties – Superintendent Evaluation

Staff Complaints and Grievances

Unless otherwise provided by contractual agreement, the Superintendent shall establish appropriate procedures for the management of staff complaints and grievances.

Reference:

MGL C 150E sec.5 Labor Relations; powers and duties; grievances

Policy 0001: Equal Employment Opportunity

Policy 0002: Harassment

Procedure 0002P – Procedures for Reporting and Handling Complaints of Harassment

Student Teachers

Principals and curriculum directors may, with the approval of the Superintendent, make arrangements with accredited colleges or universities for the placement of student teachers within the Belmont Public Schools. The principals or directors making such arrangements shall be responsible for orientation, assignment of student teachers and coordination with the college or university placing the student teacher.

Non-School Employment

Employees of the Belmont Public Schools may receive compensation for outside activities as long as these activities are carried on in a businesslike and ethical manner, do not interfere with the proper discharge of their assigned duties or cause poor public relations with the community. No outside activity shall take place during the employee's regularly scheduled work day or on school property or utilizing school resources.

Tutoring

Teachers may accept outside tutoring engagements. A teacher may not receive a fee for tutoring or arranging tutoring for any student enrolled in his/her class. No tutoring for which a teacher receives a fee will be conducted on school property.

Creation or Publication of Job related Materials

Materials developed by a staff member within the scope of his/her employment are the property of the Belmont Public Schools. They may not be utilized without express and written permission from the Superintendent, and in any instance not without credit to the system.

No research may be done with staff or pupils and the results used in the creation and marketing or publishing of such materials without the written permission of the Superintendent. In all instances, no identifying names of students or non-consenting staff are to be used, and credit must be noted to the school system when such permission is granted.

Legal Reference:

20 USC 1232h & 34 CFR Part 98 (Protection of Pupil Rights)

Staff Participation in Political Activity

Employees of the Belmont Public Schools have the right to participate in political activity. Such right shall not be exercised on school premises during school hours, use school system facilities, equipment or supplies, or interfere with the performance of school duties.

References:

MGL 71:44