

SECTION G

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SECTION G PERSONNEL

1. General Policies: (Voted 3/27/84, #84-121)

General personnel policies in this section apply to all employees of the Public Schools of Brookline. Additional personnel policy statements are contained in the several contracts between the School Committee and various employee unions.

G 1 a. School Committee/Staff Communications: (Voted 3/27/84, #84-121)

Nothing in the policies of the Brookline School Committee shall hinder or detract from full and free communication between the School Committee, or its individual members, and individual staff members or any group or association representing staff members.

G 1 b. Staff Involvement in Decision-Making: (Voted 9/22/81, #81-431; 3/27/84, #84-121)

The School Committee encourages involvement of professional staff in decision-making.

G 1 c. Smoke Free Schools: (Voted 9/28/93, #93-266)

The Surgeon General of the United States has warned that smoking endangers health and that smoking cessation greatly reduces serious health risks. Recent findings cited by the Surgeon General outline the dangers of passive smoking, i.e. the inhalation by non-smokers of smoke in the environment.

On June 1, 1987, the Town of Brookline adopted a by-law which requires the establishment of smoke-free worksites for all Town of Brookline employees. Ch. 71 of 1993, Sec. 37H of the MGL prohibits the use of tobacco products within the school buildings, school facilities, at any event or activity held on school property, or on school grounds (public sidewalks are not school grounds) or buses, by any individual, including school personnel. Smoking rooms or smoking areas are *not* permitted. Penalties for violation, developed locally, are as follows:

1. Parents or others who smoke in any school building or on any school property will be informed of the law, and asked to comply with it.
2. Elementary students who smoke in any elementary school, or on school property will be reported to the principal of the school. The parents/guardians will be notified. In the absence of a specific school-based code of conduct, the student may be liable for suspension.
3. High School students will be subject to the following consequences:

Offense #1	1 detention
Offense #2	2 detentions
Offense #3	Loss of open campus privilege and/or other restrictions placed on the student's unscheduled time for 3 weeks.

Offense #4 1 day of school suspension, an additional 3 week restriction on student time, and a recommendation that the student enroll in a smoking cessation program.

4. School personnel who violate this policy after being informed of it will be urged to enroll in a smoking cessation program, and may be subject to appropriate disciplinary action, subject to applicable provisions of the collective bargaining agreement.

Information which discourages smoking shall be part of the Health Curriculum. This policy will be publicized and signs will be posted.

G 1 d. Drug Free Workplace: (Voted 9/11/91, #91-327; 3/2/17, #17-24)

Purpose and Goal

The Town of Brookline (Town) and the Public Schools of Brookline (PSB) are committed to protecting the safety, health and well-being of all Town/PSB employees and other individuals, including the public. We recognize that alcohol and drug abuse pose a significant threat to these goals. We have established this Drug-Free Workplace Policy as a commitment to maintaining an alcohol and drug-free environment, in accordance with the Drug Free Workplace Act and any other applicable laws and/or guidelines.

In addition to being subject to this Drug-Free Workplace Policy, all employees who must hold a commercial driver's license (CDL) as a requirement of their job or to perform their duties (including casual, intermittent or occasional drivers) are also covered under the Town of Brookline's Controlled Substances and Alcohol Use and Testing Policy Applicable to Holders of Commercial Drivers Licenses, in accordance with the provisions of the Omnibus Transportation Employee Testing Act of 1991 and the rules of the Federal Motor Carrier Safety Administration.

Scope

This Policy applies to Town/PSB employees, contractors and subcontractors and employees thereof, volunteers, interns, and, where applicable, appointed and elected officials (collectively, "employees").

Prohibited Behavior and Other Requirements

The Town and the PSB strictly prohibit during work hours or on Town or PSB property the illicit use, possession, sale, conveyance, distribution, or manufacture of illegal drugs and controlled substances as defined by law (including marijuana (THC), cocaine, opiates, phencyclidine (PCP), amphetamines (including methamphetamines)).

In addition, the Town and the PSB strictly prohibit employees from reporting to work under the influence of alcohol or illegal drugs/controlled substances.

These prohibitions do not apply to the use of prescription drugs taken under medical supervision that do not prevent the employee from safely and competently performing his or her duties. The Town and the PSB will reasonably accommodate persons taking prescription drugs under medical supervision in conformity with applicable law and Town and PSB policies.

Employees must provide written notification of a drug conviction for a violation occurring in the workplace within 5 calendar days of the conviction. Within 30 calendar days of receiving such written notice, the Town/PSB will take appropriate action, which may be (1) taking disciplinary action against the employee up to and including termination consistent with legal and collective bargaining agreement requirements, and (2) requiring the employee's satisfactory participation in a drug abuse assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.

Consequences

Employees found in violation of this Policy will be subject to appropriate disciplinary action up to and including termination of employment and referral for prosecution, to the extent permitted by law. Discipline taken pursuant to this Policy shall be taken in conformity with applicable law and collective bargaining agreements. The Town and PSB will also take appropriate corrective action against any contractor or subcontractor or employee thereof found to have violated this Policy.

Assistance

One of the goals of this Drug-Free Workplace Policy is to encourage employees to voluntarily seek help with alcohol and/or drug problems. To support employees, a comprehensive benefits package and an easily accessible Employee Assistance Program (EAP) are offered which provide employees and their immediate family members with supportive resources, referrals and short-term counseling services free of charge.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Confidentiality

All information received by the Town and/or the PSB pursuant to this Policy is considered confidential. Access to this information is limited to those who have a legitimate need to know in compliance with applicable law and Town and PSB policies.

Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

Employees whose ability to perform their job duties is impaired due to on- or off-duty use of alcohol or other drugs should not report to work or be subject to duty.

Pursuant to this policy, **employees** are asked to:

- Be concerned about, and contribute to, a working in a safe environment.
- Support fellow workers in seeking help.
- Report dangerous behavior to their supervisor/s.

Pursuant to this policy **supervisors** are responsible for:

- Observing employee performance.
- Reporting reasonable suspicion of on-duty employee alcohol or drug impairment
- Preventing an employee from reporting for duty if there is a suspicion of drug or alcohol impairment
- Investigating or cooperating with investigations into reports of dangerous practices as may be determined by Human Resources.
- Documenting negative changes and problems in performance.

Communication

Communicating our Drug-Free Workplace Policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program, all employees will receive a written copy of the Policy and the Policy will be reviewed in new employee orientation sessions. This Policy will also be posted on the Town's/PSB's website.

LEGAL REFERENCES: Drug-Free Workplace Act of 1988, 41 U.S.C. § 8102, 49 C.F.R. Part 32.

G 1 e. Staff Records, Complaints, and Grievances: (Voted 3/7/84, #84-121)

Policies regarding personnel records and staff complaints and grievances shall be governed by the individual employee contracts and statutes.

G 1 f. Staff Ethics: (Voted 3/7/84, #84-121)

The Brookline School Committee expects that the administrators and teachers of the Brookline Public Schools will adhere to the code of ethics of the American Association of School Administrators and the National Education Association, as described below:

AMERICAN ASSOCIATION OF SCHOOL ADMINISTRATORS
STATEMENT OF ETHICS FOR SCHOOL ADMINISTRATORS

An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public they serve, for the purpose of providing educational opportunities to all. However, the administrators assume responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community's professional associates and students. To these ends, the administrator subscribes to the following statements of standards.

The educational administrator:

1. Makes the well-being of students the fundamental value of all decision-making and actions.
2. Fulfills professional responsibilities with honesty and integrity.
3. Supports the principle of due process and protects the civil and human rights of all individuals.
4. Obeys local, state and national laws and does not knowingly join or support organizations that advocate, directly or indirectly the overthrow of the government.
5. Implements the governing board of education's policies and administrative rules and regulations.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.

8. Accepts academic degrees or professional certification only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment or release.

NATIONAL EDUCATION ASSOCIATION
CODE OF ETHICS OF THE EDUCATION PROFESSION

Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach, and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, or students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this code shall be exclusive, and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

Principle I Commitment to the Student

The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.

4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not, on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
 - a. Exclude any student from participation in any program;
 - b. Deny benefits to any student;
 - c. Grant any advantage to any student.
7. Shall not use professional relationships with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.

Principle II Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service. In the belief that the quality of the services of the education profession directly influence the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualification.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.

6. Shall not disclose information about colleagues obtained in the course of professional service, unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

G 1 g. Policy Against Fraudulent Conduct, Misappropriation and Corruption:
(Voted 10/20/11, #11-65)

1. POLICY STATEMENT

The Board of Selectmen and School Committee for the Town of Brookline adopt this policy for the Town of Brookline and the Public Schools of Brookline (together, the “Town”) to protect public assets against fraudulent activity, misappropriation and corruption by Town employees, agents, elected and appointed officials, Board and Committee members, and third parties. The Town has a zero tolerance policy for such conduct and will take prompt, appropriate corrective action to address fraudulent activity, misappropriation and corruption in the event it occurs, including disciplining employees up to and including termination and reporting such conduct to law enforcement agencies for possible criminal investigation and prosecution, as appropriate.

This policy is intended to establish procedures to prevent whenever possible, fraud, misappropriation and corruption, for its prompt reporting and investigation, and to ensure a coordinated approach for addressing any such misconduct. It is intended to safeguard the assets of the Town and the financial activities conducted on behalf of the Town by its employees, agents and citizens.

2. PROHIBITED CONDUCT

This policy prohibits the use of a Town job, position or contract for personal enrichment or the enrichment of another person through deliberate misuse or misapplication of the Town’s assets, as further detailed below. “Assets,” as used in this policy, means Town funds, securities, supplies, inventory, vehicles, furniture, fixtures, equipment, and anything else of value.

Fraudulent Statements or Financial Conduct. The inclusion of false information within, or forgery of, Town financial statements or other documents belonging or submitted to the Town bearing on the Town’s finances (*e.g.*, checks, time sheets, expense reports, contractor agreements, purchase orders, vendor invoices and supporting documentation) is prohibited. Failure to accurately account for the use of paid leave benefits is prohibited. The unauthorized modification of student records or transcripts is prohibited.

Asset Misappropriation. No person or entity may misappropriate or misuse Town assets, whether by larceny (the stealing of cash or other Town property after it has been recorded in the Town’s records), “skimming” (the stealing of cash of other Town property before it is recorded in the Town’s records), embezzlement (the fraudulent misappropriation of Town funds for one’s use), causing fraudulent disbursements (the unauthorized disbursement of Town funds, *e.g.*, for goods not received or for services not performed, through a trick or device such as false time sheets or expense reports or falsification of invoice dates), or unauthorized use or disposal of Town property (including, but not limited to, supplies, office equipment, cell phones and vehicles) in violation of existing policies pertaining to personal use or gain.

Corruption. This policy prohibits the wrongful use of influence a person has by virtue of a person's job or position with the Town in order to procure a benefit for the person or another person, including, but not limited to bribery, economic extortion, the unlawful receipt of gratuities, conflicts of interest, and any other violation of the Massachusetts Ethics Law, Massachusetts General Laws Chapter 268A.

Other Conduct Prohibited by This Policy. This policy prohibits any activity that places Town assets at risk of waste or abuse, including, but not limited to, improprieties in the handling of funds or the reporting of financial transactions, and improprieties related to recommendations or referrals made to citizens or resident business of specific contractors (including professional service providers like attorneys, bankers or accountants), and willful destruction of Town property.

This policy does not replace but is meant to supplement other existing policies of the Town and School.

3. PROCEDURES AND RESPONSIBILITIES

a. Reporting Procedure

Any employee who believes that fraud, misappropriation, corruption, or other conduct prohibited by this policy has occurred shall promptly report any such suspected misconduct to any of the following Administrators. For the purposes of Town employees, an Administrator is a Supervisor, a Department or Division Head, the Comptroller, the Finance Director, or the Town Administrator. For purposes of School employees, an Administrator is a Supervisor, a Principal, a School Administrator, the Deputy Superintendent for Finance and Administration, the Superintendent of Schools, the Comptroller or the Finance Director. The Town strongly encourages non-employees to also report such suspected misconduct to these individuals.

Supervisors, Department/Division Heads, the Comptroller, the Finance Director, the Town Administrator, principals, the Deputy Superintendent for Finance and Administration, the Superintendent of Schools and School Administrators must promptly report all suspected instances of fraud or other conduct prohibited by this policy to the Town Counsel's Office and to the Town Administrator or Superintendent of School. Should these senior administrators or Town Counsel deem appropriate, it shall also be reported to the Brookline Police Department.

The Town prohibits retaliation against persons who have made reports in accordance with this policy of suspected fraud, misappropriation, corruption, or other conduct prohibited by this policy.

b. Responsibilities

The following individuals are responsible for establishing and maintaining proper internal controls that provide security and accountability for the assets and resources entrusted to them: within the Town, the Town Administrator, and/or his designee(s), including

Supervisors and Department/Division Heads; within the School Department, the Superintendent, and/or his designee(s), including Deputy Superintendents, Assistant Superintendents, Principals, Head of School, Assistant Head of School, and all other administrators. Such individuals should be familiar with the risks and exposure inherent in their areas of responsibility and be alert for any indications of fraud, misappropriation, and other prohibited conduct. If the situation warrants immediate action – for example, obvious theft has taken place, security of assets is at risk, or immediate recovery is possible – management and non-managerial staff receiving reports should immediately contact the Police Department.

As detailed above, all employees with information about violations of this policy shall do the following:

- Insure that notification promptly reaches the Town Administrator or the Superintendent of Schools and/or the office of Town Counsel.
- Do not contact the suspected individual to determine facts or demand restitution. Under no circumstances should there be any reference to “what you did”, “the crime”, “the fraud”, “the forgery”, “the misappropriation”, etc.
- Administrators should consult with Town or School Human Resources departments and Town Counsel to determine whether any immediate personnel action is warranted (see section 5. Discipline, below).
- Do not discuss the case, facts, suspicions, or allegations with *anyone*, unless specifically directed to do so by the Town Administrator or the Superintendent of Schools and/or the office of Town Counsel.
- Direct to Town Counsel all inquiries from any suspected individual, his or her representative, or his or her attorney. Direct all inquiries from the media to the Town Administrator or School Superintendent’s office.

Town Counsel or her or his designee shall investigate suspected violations of this Policy. In doing so, Town Counsel may seek the collaboration and/or assistance of internal or external departments, such as the Finance Director, Deputy Superintendent for Finance and Administration, Comptroller, Town and School Human Resources Departments, Police Department, and/or other federal, state, or local agencies as circumstances may warrant. Town Counsel shall have full, free and unrestricted access to all records and personnel of the Town for such purpose. All investigations will be conducted in conformity with applicable state and federal laws and regulations and School and/or Town system policies and procedures, as well as applicable contractual and collective bargaining requirements.

The Town Finance Director and/or Comptroller’s Office shall, after consultation with Town Counsel, coordinate the notification of insurers and filing of claims with the Chief

Procurement Officer, and, if federal funds, are involved, determine the required federal reporting requirements and take the steps necessary to comply with them.

The Treasurer shall be responsible for notifying the bonding companies and filing bonding claims.

All employees shall be vigilant to possible fraud, misappropriation and other misconduct prohibited by this policy and shall provide their full cooperation as may be necessary for the implementation of this Policy and for the effective detection, reporting, and investigation of such misconduct and, as may be appropriate, the prosecution of offenders.

All parties shall maintain the confidentiality of reports and investigations into suspected or substantiated reports of fraud, misappropriation, corruption or other conduct prohibited by this Policy, except as may be necessary to make a report under this policy, conduct an investigation, take any necessary corrective action, and respond to or conduct any legal and/or administrative proceedings related to the alleged misconduct, or as may otherwise be specified by the Superintendent of Schools, Town Administrator, Finance Director, the Controller, or Town Counsel. No employee shall knowingly make a false accusation, alert suspected individuals that an investigation is under way or knowingly make statements that could lead to claims of false accusation.

Every effort should be made to effect recovery of Town losses from responsible parties or through Town insurance coverage.

4. NON-FRAUD IRREGULARITIES

Identification or allegations of acts outside the scope of this policy, such as personal improprieties or irregularities (whether moral, ethical, or behavioral), other safety or work-related conduct, or complaints of discrimination or sexual harassment, should be resolved by the respective area management in conjunction with Human Resources and/or with reference to any other existing Town or School policies, guidance or resources. Examples of such policies include the Policy on the Use of Information Technology Resources and the Policy Against Discrimination, Sexual Harassment and Retaliation (this list is not all-inclusive).

The Town Counsel's Office may be consulted with any questions concerning this policy.

5. DISCIPLINE

The Town maintains a zero tolerance policy with respect to Fraud. Violations of this policy will result in appropriate discipline, up to and including termination. When the Town determines there is a violation of this policy, the Town will act promptly to eliminate the conduct and impose any necessary corrective action. Such corrective action may include, but is not limited to counseling, verbal or written warning, suspension, demotion, transfer or termination. Any discipline will be taken in accordance with applicable labor contracts and bylaws as applicable. Employees found to have knowingly

made false accusations or given knowingly false statements regarding this policy will be disciplined up to and including termination.

Any citizen or any vendor who has engaged in Fraud as described in this Policy, will be dealt with by the Town Administrator or Superintendent of Schools, or by the Board of Selectmen or Trustees of the School Department.

6. OTHER ACTIONS

Consistent with the Town's Zero Tolerance Policy, in addition to disciplinary action, the Town shall pursue appropriate corrective action to the fullest extent under federal and state laws.

G 1 h. Staff Conduct: (Voted 9/11/84, #84-403)

All teachers shall respect the policies, regulations, and requirements of the Committee, transmitted through the Superintendent, and shall cooperate cordially with him/her and with each other in the conduct of the schools and in the maintenance of good order therein. They shall consider the suggestions and directions of the Superintendent as given by the authority of the School Committee.

G 1 i*. Staff Conflict of Interest: (Voted 4/15/68, #68-165; 3/27/84, #84-121)

The Brookline School Committee expects that all staff will abide by the statutes which govern Conflict of Interest of Public Employees, in particular Ch. 268 A of the Massachusetts General Laws.

With respect to hiring and placement of staff, the School Committee guarantees fair and equitable treatment of all applicants while, at the same time, wishing to minimize the possibility of personal and professional conflicts of interest. To this end:

1. A teacher will not be appointed to a position in which s/he would be subject to supervision, evaluation, or recommendation by a spouse or relative.
2. Wherever possible, spouses or relatives shall not be assigned to the same school or same department.

G 1 j. Staff Legal Protection: (Voted 3/27/84, #84-121)

Legal liability and its limitations for all public employees is covered in Ch. 258 of the MGL of the Commonwealth.

G 1 k. Staff Participation in Political Activities: (Voted 3/27/84, #84-121)

In accordance with the laws of the Commonwealth and the principles of academic and political freedom, the Brookline School Committee acknowledges the political rights of all employees in the Brookline School System.

G 1 l. Staff/Student Relations: (Voted 3/27/84, #84-121)

Teachers shall have authority, and it shall be their duty, to make and enforce by reasonable means, rules and regulations necessary and proper for the internal regulation of their respective classrooms, subject to the considerations cited below.

The discipline to be maintained in the schools shall be kind and judicious, and all methods should be avoided which achieve discipline by lowering a student's self-respect or diminishing his/her sense of personal dignity. Teachers should endeavor, by their own examples of personal dignity and fairness, to win the genuine esteem and whole-hearted cooperation of the students. As stipulated by law, all teachers shall avoid corporal punishment.

So far as practical, teachers shall exercise a general oversight of pupils going to and from school. The principal or head of school shall ensure that staff activities and manuals or student handbooks conform to these principles.

G 1 m. Staff Gifts and Solicitations: (Voted 3/27/84, #84-121)

In general, no person or agent shall be permitted to enter a school for the purpose of exhibiting, either to teachers or to pupils, any book or article of merchandise, or for any purposes of trade or business, without the written authority of the Superintendent or his designee.

In the schools, no one shall post or read to pupils commercial advertisements, unless approved by the School Committee in advance.

No teacher shall receive gifts from the pupils under his/her charge.

No subscriptions or contributions shall be allowed in the schools, unless approved by the School Committee in advance, except as noted below:

- a. annual collection for American Red Cross
- b. annual collection for OXFAM
- c. The Dorchester Federated House Thanksgiving Fund
- d. UNICEF at Halloween
- e. UNITED WAY (staff only).

G 1 n. Staff Health (Revision)

In order to conform to the laws of the Commonwealth and to ensure the health and safety of staff and students, the School Department is included in the Town of Brookline's health program, administered through the Human Resources Department. Procedures related to this program may change from time to time for a number of reasons, including but not limited to collective bargaining agreements and any other contracts in force between categories of employees and the School Committee. Said procedures will cover, at the very least, the following subjects:

1. Required Physicals
2. Work Related Accidents, Illnesses, and/or Disabilities
3. Prolonged Absence
4. Clearance to Work or Clearance to Return to Work

Additionally, in response to the wide range of personal problems that affect workers on the job, the School Department is included in the Town of Brookline's provision of a pre-paid Employee Assistance Program, or "EAP" benefit. This benefit offers free short-term counseling and referral services to all employees and any member of their immediate household. Employees (and family members) seeking assistance can receive quick access to confidential, professional help by calling a 24-hour toll-free hotline.

In order to conform to the laws of the Commonwealth and to ensure the health and safety of staff and students, the Brookline School Committee also has adopted a policy on Communicable Diseases (Section E of this Policy Manual).

Originally Policy Voted: 3/27/84, #84-121; 12/17/85, #85,521; 2/26/91, #91-54

Revised Policy Voted: 12/14/06, # 06-112

G 1 o. Employment of Persons Diagnosed with AIDS:

(Voted 12/17/85, #85-521; 2/26/91, #91-54)

Consistent with guidelines released by the U. S. Department of Public Health, school employees with AIDS or with evidence of infection with the AIDS-associated virus (HIV-1) shall be treated in the same way as any other school employee with illness or disability, subject to the following:

1. Employee guidelines:

A school employee with evidence of infection with the AIDS-associated virus (HIV-1), and receiving medical attention, shall be permitted to work as usual, subject to his/her ability to adequately perform his/her duties and the following restrictions:

- a. an employee with skin eruptions or weeping lesions that cannot be covered, shall not be permitted to work.
- b. AIDS-infected employees shall not provide assistance to other employees or students where there has been trauma to these individuals, such as an open wound, which could provide a portal of entry for the virus, nor shall they provide mouth-to-mouth resuscitation.
- c. Any employee involved in the handling or preparation of food must follow recommended standards and practices of good personal hygiene and food sanitation.
- d. School employees with evidence of infection with the AIDS- associated virus (HIV-1) and receiving medical attention shall report his/her condition to the Director of School Health, who shall review these regulations with the employee.

2. Disability and Health Benefits:

Any employee with evidence of infection with the AIDS associated virus, who is unable to work, shall be entitled to the same benefits as any employee with illness or disability, in accordance with School Committee policy and the terms of the respective employee contract agreements.

3. Confidentiality:

Only persons with an absolute need to know shall be informed of the employee's diagnosis.

- a. The Director of School Health shall inform the Superintendent of Schools orally of information received regarding employees diagnosed with evidence of infection with the AIDS-associated virus (HIV-1). The Director of Health and the Superintendent of Schools are required to maintain the confidentiality of this information. No written records of this information shall be kept.
- b. Reports of routine absences shall be made according to the normal procedures, and as customary, do not require that the exact clinical nature of the illness be stated.

c. Any claims for benefits which necessitate a report of AIDS or evidence of infection with the AIDS-associated virus (HIV-1) shall be made directly and as appropriate to the Director of Personnel or to the Assistant Superintendent for Administration and Finance, who shall take special precautions to ensure that the confidentiality and privacy of the employee is maintained. Specifically, the administrator shall: report the request to the Superintendent of Schools; make no other mention of the information orally or in writing, other than on an absolute need to know basis, consistent with obtaining entitled benefits for the employee; refer any inquiries concerning the employee's condition to the Superintendent of Schools.

d. Any papers, claim forms, or other documents containing information concerning AIDS or evidence of infection with the AIDS-associated virus shall be held in strictest confidence by the Director of Personnel or the Assistant Superintendent of Administration and Finance and provided only on an absolute need to know basis. Further, these administrators will see to it that all personnel under their direction handling such forms fully understand the responsibility of maintaining the privacy of the individual's record.

Breaches of confidentiality known to the Superintendent of Schools shall be reported to the School Committee.

4. Tests Results for HIV-1 Antibody:

Results of the HIV-1 antibody tests are confidential and should not be reported to the schools. However, if knowledge of such tests becomes available to school authorities, it shall be kept totally confidential and shall not constitute grounds for changing the conditions of an individual's employment.

5. Updates:

The most up-to-date Public Health fact sheets shall be available from the Director of School Health. Modifications in School Committee policy will be made to reflect such fact sheets.

G 1 p. Service Animals in Schools (Voted June 16, 2011, #11-49)

The School Committee recognizes that service animals may be used to provide assistance to some persons with disabilities. This policy governs the presence of service animals in the schools, on school property, including school buses, and at school related activities.

I. Definition

Service animal: For the purpose of this policy, “service animal” shall mean any dog that is individually trained to do disability related work or tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. A service animal may also include a miniature horse, if the horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute disability related work or tasks under this Policy. (Section 35.104)

II. Permitted Access

Use of a service animal by a qualified student or employee with a disability will be allowed in school and at school related activities when it is determined that such use is required because of the student or employee’s disability; and when it is readily apparent that the animal is trained to do work or perform tasks for such student or employee. (Section 35.136(f)) Use of service animals in schools and at school related activities by other individuals, such as parents/guardians, visitors, and independent contractors, shall be consistent with the provisions of the Americans with Disabilities Act (“ADA”).

III. Procedures

The parent/guardian of a student who seeks to bring a service animal to school, or an employee who seeks to bring a service animal to school, must submit a written request to the building principal. The building principal, in consultation with the Section 504 Building Coordinator and the Assistant Superintendent for Student Services, will determine whether or not to permit the service animal in school. In the case of a student or employee who attends or works at more than one school, the written request shall be made to the building principal of one school, and the building principal’s determination shall apply to all such schools. Other building principals will be so notified by the Superintendent or his/her designee.

Before a service animal shall be permitted in school or on school property, the student’s parent/guardian or the employee seeking such permission must provide the building principal with:

- A. A description of the work or tasks the service animal is expected to perform in assisting the person with a disability; and
- B. Current certification from a veterinarian that the service animal is in good health and has received appropriate vaccination against rabies.

IV. Exclusion

The building principal may remove or exclude a service animal from the school or school property if:

- A. The presence of the service animal poses a direct and immediate threat to the health and safety of others;
- B. The service animal is out of control and the student, employee or handler does not take effective action to control the animal;
- C. The service animal is not housebroken.

If a service animal is properly excluded under this section, qualified students and employees with disabilities shall be given the opportunity to participate in the services, programs, or activities of the PSB without having the service animal on the premises.
(Section 35.136(c))

V. Appeals

If a decision is made to remove or exclude a service animal, that decision may be appealed to the Superintendent.

Legal References:

42 U.S.C. § 12101 et seq.
28 C.F.R. Part 35

G 1 q. Earned Sick Time Policy for Less than Half-Time, Temporary and Certified Seasonal Employees (Voted 4/28/16, #16-23)

Effective July 1, 2016, beginning immediately upon hire, non-union part-time employees who work less than 18.75 hours/week, certified seasonal and temporary employees shall earn one (1) hour of paid sick leave for every thirty (30) hours of time actually worked and shall be eligible to use earned sick time ninety (90) days after their first date of actual work, should a qualifying need arise. This policy does not apply to student interns, co-op students, per diem substitutes, and individuals receiving a stipend. Long-term substitutes, as defined in 603 CMR 7.02 as those working in excess of 90 days and required to be licensed for the role or working under a hardship waiver, are covered by this policy.

Hours Worked and Rate of Pay

When computing hours to determine the accrual rate, all hours actually worked by the employee are counted, regardless of location and department. Further, if the employee receives a different wage rate for different work (e.g., recreation, school), when using paid sick leave, the employee shall be paid the rate the employee would have been paid if the employee had worked during the time in which the employee used accrued sick leave.

Less than half-time, temporary and seasonal employees shall accrue paid sick leave, no earlier than 90 days of employment, in accordance with the following schedule. For employees who are working an average of or hired to work a schedule with an average of:

Average Hours/week	Hours earned each calendar year *	Accrual rate
Less than Half Time		
5-9 hours per week	10 hours	.83 hours/month
10-15 hours per week	20 hours	1.66 hours/month
16-19 hours per week	30 Hours	2.5 hours/month
Temp Part-time and Full Time		
20-40 hours	40 hours	3.33 hours/month

*prorated for a less-than-12-month schedule

Cap on Earned Time

Once an employee possesses a bank of 40 hours of unused earned sick time, the employee shall not continue to accrue more hours of earned sick time regardless of the additional hours worked. Once the employee draws down on the bank, below 40 hours the employee may accrue additional hours consistent with this policy.

Carry over

Such hours may be carried over from year to year up to a maximum of 40 hours.

Use of Hours

An employee may use earned sick time for a qualifying purpose in accordance with the rules described herein. In addition, less than half-time, temporary and seasonal employees may also use up to a maximum of 8 hours of the employee's accrued sick time, during each calendar year, as personal time for purposes of:

- professional medical diagnosis or care, or preventative medical care;
- attend a routine medical appointment or a routine medical appointment for the employee's child, spouse, parent, or parent of spouse;
- address the psychological, physical or legal effects of domestic violence; or
- travel to and from an appointment, a pharmacy, or other location related to the purpose for which the time was taken.

When personal time is used, as described herein, it shall not be regarded as use of sick time for purposes of analyzing sick time abuse. Such personal time is also available for personal matters, consistent with personal time described herein, Section 11, Other Leave.

Non-regular part-time, temporary and seasonal employees may use accrued sick time to address the psychological, physical or legal effects of domestic violence, as provided herein, and the use of such time shall not be regarded as use of sick time for purposes of analyzing sick time abuse.

Sick leave, for any authorized purpose, may be used in increments of no less than half (1/2) of a regularly scheduled work day or as otherwise allowed by the Department, based on its operational needs. Further, an employee may not use earned sick time if the employee is not scheduled to be at work during the period of use.

Break in service

Following a break in service of up to four months, an employee shall maintain the right to use any unused earned sick time accrued before the break in service provided the employee holds a position covered by this policy.

Following a break in service of between four (4) and twelve (12) months, an employee shall maintain the right to use earned sick time accrued before the break in service if the employee's unused bank of earned sick time equals or exceeds 10 hours provided the employee holds a position covered by this policy.

Following a break in service of up to twelve months, employees maintain their vesting days from the employer and do not need to restart the 90-day vesting period.

Following a break in service of more than twelve (12) months, any earned but unused sick leave shall be vacated.

This policy does not apply to employees who are members of unions. Employees who are members of unions should refer to their collective bargaining agreement for specific terms governing their sick leave benefit.

G. 1. r. Staff COVID-19 Vaccination Policy (Voted 9/9/21; #21-72; 10/21/21; #21-84; 12/8/22; #97)

The Public Schools of Brookline (PSB) are committed to providing a safe environment during the COVID-19 pandemic. According to public health experts, vaccination is the leading prevention strategy to combat the COVID-19 pandemic, reduce hospitalizations and severe disease, and keep members of our school community safe. Particularly due to the inability of many students to obtain vaccination until they are age-eligible, and the setting of schools where groups gather indoors, the PSB, consistent with public health guidance and the Governor's Executive Orders, shall require all staff to provide proof that they have received full COVID-19 vaccination, unless they receive a documented medical or religious exemption in accordance with relevant state and/or federal law. The PSB strongly recommend that staff with "full COVID-19 vaccination" status receive any Center of Disease Control and Prevention (CDC)-recommended booster vaccine shot(s) for the Johnson & Johnson, Pfizer, and Moderna vaccines within 8 weeks of availability.

Definitions:

"Full COVID-19 vaccination" status will be accorded to any person two weeks after the final dose of initial vaccination (one dose for Johnson & Johnson and two doses for Pfizer and Moderna). This policy applies to all existing and newly hired employees and staff, transportation and food service vendors, and PSB-employed contractors, regardless of whether the employee has been diagnosed with COVID-19 in the past. Staff must demonstrate that they are fully vaccinated with an FDA-approved or emergency use authorized COVID-19 vaccine by November 1, 2021 or within one month of the start date of their employment, unless they receive a documented medical or religious exemption in accordance with relevant state and/or federal law. PSB leadership will establish processes in consultation with the Brookline Educators Union (BEU) and the American Federation of State, County and Municipal Employees (AFSCME) for verifying staff vaccination status necessary to implement this policy.

SECTION G PERSONNEL

2. *Recruitment, Selection, and Staffing:*

a. *Role of the Personnel Office:* (Voted 3/27/84, #84-121)

The School Committee is committed to hiring the most capable professional and support staff to carry out its philosophy, to implement its educational programs, and to maintain its schools in a safe, clean, and comfortable manner.

The Personnel Office shall assist the School Committee in carrying out this commitment by forecasting personnel needs; preparing pertinent budget data; preparing job descriptions, maintaining personnel records; administering salary and wage schedules; managing negotiations and labor relations; supervising fringe benefits; administering legislated programs; continuously appraising employment conditions, and managing the process of recruitment, selection, and placement of the most capable personnel.

G 2 b. *Group Recognition/Job Classification:*

(Voted 6/14/78, #78-215; #78-216, #78-242; 11/16/81, #81-509; 9/11/84, #84-403; 1995-96)

For the purpose of establishing professional and contractual relations between the Brookline School Committee and the professional staff, the School Committee recognizes the following professional groups. Employment conditions are stipulated by policy, individual contract, or Bargaining Unit contract.

MANAGEMENT

Senior Management Staff

- Superintendent
- Assistant Superintendent (various)
- Director of Personnel
- Head of School
- Principal (elementary)
- Interim Freshman Campus Principal

Other Managerial Staff

- Administrative Assistant (Payroll)
- Administrative Assistant (Superintendent)
- Assistant Supervisor of Custodians
- Assistant to Director of Personnel
- Assistant to the School Committee
- Budget Analyst
- Computer Lab Administrator (BA&CE)
- Director of Brookline Adult and Community Education Program
- Director of Child Health Services
- Director of Food Services
- Grants Coordinator
- Program Assistant BA&CEP
- Supervisor of Custodians
- Technological Systems Manager

Transportation Coordinator

PROFESSIONALS

BEA Unit A

Associate Dean
 Coach/Advisor
 Computer Lab Specialist
 ESL Student Advisor
 Guidance Counselor
 Language Lab Specialist/Assistant
 Library Assistant/Library Technology Assistant
 Library Technical Services Specialist
 Librarian
 METCO Basic Skills Specialist
 METCO Counselor, High School
 METCO Social Worker
 Resource Specialist
 School Adjustment Counselor
 Guidance and Adjustment Counselor
 School Nurse
 School Psychologist
 Social Worker
 Speech Therapist/Speech & Hearing Clinician
 Teacher (various)
 Technician

BEA Unit B

Administrative Coordinator of METCO
 Assistant Head of School
 Assistant Principal
 Coordinator of SWS
 Curriculum Coordinator (various)
 Dean
 Director of Athletics
 Director of Instructional Technology
 Director of Opportunity for Change Program
 Early Childhood Coordinator
 Early Childhood Social Work Position
 Early Childhood Specialist
 Supervisor (various)
 Vice Principal
 Winthrop House Program Coordinator

Learning Skills Specialist

BEA Unit LSS

PARAPROFESSIONALS

BEA Unit PARA

Application Support Specialist
 Attendance Supervisor
 Coordinator of Teacher Substitutes
 Food Services Assistant
 Hourly Educational Aide

ECE Aide
 Educational Aide
 Title I Aide
 Instructional Technology Network Specialist
 Job Coach
 METCO Bus Monitor
 Parent Network Liaison
 Parent Outreach Coordinator (Lincoln School)
 Parent Coordinator Chapter 1
 Salaried Instructional Aide (various)
 METCO Aide
 TK Aide
 Security Aide
 Science Assistant and Instructional Resource Assistant
 System Substitute (High School, Elementary)
 Teacher Substitute Dispatcher (High School, Elementary)
 Tutor
 Math Tutor
 METCO Tutor
 Special Education Tutor
 Understanding Handicaps Coordinator

SERVICE WORKERS

Custodian	Custodial	AFSCME 1358
Food Service Worker	Food Service	AFSCME 1358
Secretary	BESA	SEIU 925

SKILLED HOURLY WORKERS

Bus Monitor
 Contract Worker/Intern
 Food Service Utility Worker
 Home Tutor
 Hourly Clerical Substitute
 Miscellaneous Specialist
 Homework Center Director
 Computer Lab Specialist
 Temporary Help
 Occupational Therapist
 Physical Therapist
 Special Education Specialist
 Student Employee
 Career Ed.
 Lab Asst.
 Tutor (for METCO students)
 Temporary Help
 System Network Support
 Teacher/Nurse Substitute

STIPENDED WORKER

Adult Education Teacher
 Summer School Director

Summer School Teacher

G 2 c. Job Descriptions: (Voted 6/14/78, #78-215, #78-216, #78-242; 11/16/81, #81-509)

The Superintendent shall establish job descriptions for all administrative personnel. All job descriptions shall be prepared by the Personnel Office, and reviewed and approved by the School Committee. Any major changes in administrative job descriptions shall be brought to the attention of the School Committee for approval. In order to provide a fair and equitable basis for the evaluating performance, job descriptions shall contain a concise statement of the principle duties and responsibilities associated with the position, the exact placement of the position within the system, describing to whom the position is responsible, the supervisory authority of the position, the performance evaluation, and a clear delineation of the major duties of the position. A booklet containing all job descriptions can be found in the Personnel Office.

G2 d. Administrative Vacancies (Revised Policy)

When administrative positions are vacated, the Superintendent shall evaluate the responsibilities related to that position and, if warranted, recommend to the School Committee changes in duties and responsibilities.

For administrative positions not included in the Brookline Education Union (BEU Unit B) contract, the School Committee shall determine the compensation or parameters within which the Superintendent may determine the compensation.

It is the policy of the Public Schools of Brookline to seek the most talented individuals available for any job opportunities. Prior to any selection, each search shall result in a diverse pool of qualified candidates.

Positions Reporting Directly to the Superintendent

For any vacancy arising in an administrative position that reports directly to the Superintendent, the Superintendent will select seven (7) to fourteen (14) members to comprise an interviewing committee and will designate one member to serve as Chair of the committee. The interviewing committee shall include:

- a. A permanent member of Senior Cabinet;
- b. An Elementary Principal;
- c. Program or Curriculum Coordinator, and
- d. Equal numbers of teachers and parents, but not more than three (3) of each

The Superintendent may also appoint to the interviewing committee any staff member, up to two students, additional members from categories (a), (b) and (c) above and a member of the School Committee except that no member of the School Committee may serve on the interviewing committee for a position for which the School Committee must vote whether to approve the candidate chosen by the Superintendent. All members of the

interviewing committee, including the School Committee member if any, shall be chosen by the Superintendent.

The role of the interviewing committee is strictly advisory. It shall interview all qualified internal candidates and determine which other candidates it will interview. The interviewing committee shall provide the Superintendent with a written report regarding each candidate it interviews. This report should include comments concerning each candidate's strengths and weaknesses, and his/her suitability for the position in question. In addition, the report will also include the number and qualifications of all affirmative action candidates.

The Committee shall not be asked to recommend finalists. The Chair and other members of the Committee shall meet with the Superintendent to report on the work of the Committee and to review the written report on each applicant who was interviewed.

The Superintendent or designee may conduct additional interviews and/or reference checks before designating finalists. In addition, the Superintendent may decide to interview candidates considered by the Interviewing Committee, or may choose other alternatives, such as revisiting the original pool of applicants, reopening the search, or any other option compatible with his/her administrative responsibilities. The Superintendent shall select the finalists for the position. The Superintendent shall ensure that there are opportunities for parents and staff to meet the finalists including, but not limited to, public interviews conducted under the direction of the Superintendent or designee.

For positions over which the School Committee has statutory authority to approve or disapprove hiring (Deputy and Assistant Superintendents), the Superintendent will select a single candidate to recommend to the School Committee. The candidate will be presented to the School Committee at a School Committee meeting. Members of the School Committee will have an opportunity to interview the candidate before approving or disapproving his/her hiring. Such approval by the School Committee of the recommendation shall not be unreasonably withheld, provided, however, that upon the request of the Superintendent, the School Committee shall provide an explanation of disapproval (per statute Ch. 71, Sec. 59).

The Superintendent shall develop regulations, to be reviewed regularly with the School Committee, that address the charge to the interviewing committee and the process for conducting finalist interviews.

Positions Not Reporting Directly to the Superintendent

For vacancies in administrative positions not reporting directly to the Superintendent, the Superintendent shall develop regulations, to be reviewed regularly with the School Committee, that address the role and composition of interviewing committees as well as the charge to the interviewing committee and the process for conducting finalist interviews. These regulations will be coherent with the policy on positions reporting directly to the Superintendent but modified appropriately to account for the unique aspects of particular administrative positions.

Interim Positions

In so far as possible, the Superintendent of Schools shall fill or recommend candidates to fill vacant positions without the appointment of acting personnel. However, in the event that time does not permit or when a suitable permanent candidate is not found, the Superintendent shall appoint a person to serve temporarily in an acting capacity (for a maximum of 18 months). In all cases, individuals serving in these interim roles will be permitted to apply when the permanent opening is posted and/or advertised.

The Superintendent is not required to conduct a formal process to recommend or select an interim candidate for any administrative position, except for those positions where the School Committee has statutory authority to approve the appointment.

(Administrative Procedures to be developed.)

Originally Approved: 6/14/78, #78-215, 78-216, 78-242; 9/16/81, #81-509

Revised Policy Adopted by Brookline School Committee: 12/22/05, #05-137

G 2 e. Professional Staff Recruiting: (Voted 9/11/84, #84-403)

The Superintendent, in cooperation with the Director of Personnel and other administrators, shall determine the personnel needs of the school system and of the individual schools, and develop and maintain a recruitment program designed to seek out the best qualified persons for employment in the Public Schools of Brookline.

The School Committee directs staff actively to seek out strongly qualified teaching candidates and to make every effort to develop and maintain personal contacts on college and university campuses. To that end, representative of the Public Schools of Brookline shall periodically journey to selected campuses.

Because the School Committee recognizes that diversified backgrounds among those appointed to positions in the school system contribute to a variety of ideas, techniques, and personalities in the school system, the search for good teachers and other professional staff members will extend to a wide variety of educational institutions and geographical areas. It shall take into consideration the diversified characteristics of the school system and the need for teachers and administrators of various racial and cultural backgrounds.

G 2 f. Staff Hiring--Professional Category:

(Voted 6/19/78, #78-276; 9/11/84, #84-403; 9/24/98, #98-90, 91, 92; 6/14/01, #01-76)

Through its employment policies, the School Committee will attempt to attract, secure, and hold the highest qualified personnel for all professional positions. The selection program will be based upon an alertness to candidates who will devote themselves to the education and welfare of the children attending the Public Schools of Brookline.

Each principal has the responsibility, consistent with School Committee personnel policies and budgetary restrictions, and subject to the approval of the Superintendent, to hire all teachers, athletic coaches, instructional or administrative aides, and other personnel assigned to his/her school. Consistent with School Committee personnel policies and budgetary restrictions, the Superintendent may appoint administrators and other personnel not assigned to particular schools.

Upon the recommendation of the Superintendent, the School Committee may appoint Assistant and Associate Superintendents, and fix their compensation. The School Committee has the authority to approve or disapprove the Superintendent's recommendation; however, the Committee shall not unreasonably withhold its approval and will provide an explanation for its disapproval if the Superintendent so requests.

The Superintendent may recommend for the position of Assistant Superintendent for Administration and Finance an individual who does not meet state requirements for certification as an Assistant Superintendent. In such cases, the Superintendent may request permission to appoint a Business Manager. The School Committee shall not unreasonably withhold its permission for such an appointment, and will provide an explanation for withholding permission if the Superintendent so requests. If, with the School Committee's

permission, the Superintendent appoints a Business Manager, policies applicable to the corresponding Assistant Superintendent position shall be deemed to apply, unless application of such policies would conflict with state law.

It will be the duty of the Superintendent to see that persons nominated for employment in the Public Schools of Brookline meet all requirements for the position established by the School Committee and in comply with state law for the type of position for which nomination is made.

1. Posting and Advertising

All professional positions shall be posted and advertised in accordance with the contract with the Brookline Educators Association.

A. For promotional positions, the following steps shall be taken:

1. A notice of the vacancy shall be advertised in local newspapers and minority newspapers.
2. A notice of the vacancy shall be sent to each professional staff member.
3. A notice of the vacancy shall be sent to selected college and university placement offices.
4. When necessary, advertisements may be placed in major newspapers.

B. For non-promotional positions, the following steps may be taken:

1. A notice of vacancy may be sent to each school to be posted in a prominent place.
2. A notice of vacancy may be sent to selected college and university placement offices.
3. A notice of vacancy may be sent to other school systems.
4. When necessary advertisements may be placed in major newspapers.

2. Reimbursement of Travel Expenses for Candidates for Administrative Positions

The Brookline School Committee adopts the following procedures for the reimbursement of travel expenses incurred by candidates for the positions of Assistant Superintendent, Director of Personnel, Head of School, Principal, Curriculum Coordinator, and Supervisor, subject to the following limitations:

- a. The costs related to the candidate's first trip to Brookline shall be borne entirely by the candidate.
- b. Should the candidate be requested to return to Brookline for subsequent interviews, the following will be allowable:

1. Air Travel: economy class fare only will be approved, except for extraordinary circumstances, with the approval of the Assistant Superintendent for Administration and Finance. Reimbursement will not be made for flight insurance or for alcoholic beverages.
2. Railroad and Bus Travel: fares will be paid.
3. Taxicab fares: public transportation should be utilized whenever possible. However, taxicab fares will be reimbursed when they are necessary and an explanation is furnished.
4. Accommodations: reimbursement will be made in full, based upon single room rate in Brookline only.
5. Meals: Maximum of \$30 daily. Ordinary meal charges need not be itemized.
6. Automobile Travel: candidates who select to travel to Brookline in their own automobiles will be reimbursed at the Town mileage rate, plus tolls.

G 2 g. Part-time and Substitute Staffing:

(Voted 6/4/79 #79-186; 9/9/80, #80-313; 11/22/83, #83-491; 9/11/84, #84-403)

The Brookline School Committee recognizes that it may be necessary or desirable to employ teachers and other professionals on a part-time basis. Due to scheduling difficulties or enrollments, it is frequently necessary to employ part-time staff members.

By providing the opportunity for individuals to be employed on a part-time basis, the Brookline School Committee believes it is possible to attract and/or retain outstanding professionals who might not otherwise be available. As an alternative employment procedure, the Brookline School Committee endorses the concept of job sharing or partnership teaching. Conditions of employment for part-time staff shall be in accordance with the contract with the Brookline Educators Association.

It is the policy of the Brookline School Committee that supervision shall be provided for high school or elementary school teacher absences of any duration. To provide the optimal educational experience for the students, plans will be developed and implemented at the High School to issue advance students assignments and/or to provide the substitute personnel with appropriate lesson plans.

Substitutes for librarians and library assistants shall be hired whenever it is necessary in order to prevent a library from being closed during normally open hours. If coverage by another librarian or library assistant is provided, a substitute will not be hired unless the absent librarian or library assistant is out for more than ten consecutive days.

In order to assist in class coverage at the High School, the School Committee authorizes employment of instructional aides under contract from 7:45 AM to 2:15 PM daily on days when schools are in session, assigned respectively to the Social Studies and English departments, Science and Math departments, and Foreign Language and Occupational Education departments.

The Committee will employ as substitutes persons who meet the requirements for teacher appointment, or others approved by the Director of Personnel and other school administrators (elementary principal, Head of School, or curriculum coordinator). When the supply of potential substitutes in a particular subject area or grade level is too limited to meet the needs of the school system, there will be an active recruitment for substitutes in those areas.

To carry out these policies, regulations covering the hiring procedures and responsibility of the teacher, substitute, and supervisor shall be developed and approved by the School Committee, and may be found with the job description for part time teacher and substitute teacher.

G 2h. Professional Staff Orientation: (Voted 9/11/84, #84-403)

The senior administration shall arrange orientation programs for all new professional staff. To this end, a general orientation program shall be provided over a two day period just prior to the opening of school for staff entering the system at the start of the school year. In addition, the Assistant Superintendents for Curriculum and Instruction and Integrated Student Services, working with the Director of Personnel shall arrange ongoing orientation activities for all new staff throughout the year and, in particular, for new staff entering the school system during the school year.

G 2i. Conditions of Employment: (Voted 9/11/84, #84-403)

Professional staff conditions of employment regarding promotion, tenure, seniority, assignments, transfers, time schedules, and workloads are specified in the respective contracts.

G 2j. Reductions in Professional Work Force (RIF): (Voted 9/11/84, #84-403)

Reductions in Professional Staff work force shall be carried out in accordance with statutes and the respective contracts.

G 2k. Retirement of Professional Staff Members: (Voted 9/11/84, #84-403)

The School Committee shall comply with the provisions of MGL Ch. 32, and other applicable statutes dealing with retirement.

G 2 l. Resignations, Terminations, Suspensions, Dismissals:

(Voted 9/11/84, #84-403)

The School Committee shall comply with applicable statutes for dismissal, suspension, retirement, and non-renewal. The School Committee requires 30 days notice of resignation. The School Committee shall comply with the "Just Cause" provision in its contract with the Brookline Educators Association, and with any applicable statutes when it becomes necessary to suspend or dismiss an employee.

G 2 m. Criminal History Checks of Employees, Volunteers and Others
(CORI Policy Voted 6/19/03; #03-75; New Policy Voted 3/14/13; #13-16)

In order to ensure a safe teaching and learning environment and pursuant to G.L. 71, s. 38R, the Public Schools of Brookline (PSB) shall access criminal offender record information (“CORI”), fingerprint-based criminal background information, and/or sexual offender registry information (“SORI”) for the purpose of determining the suitability of current and prospective PSB employees, volunteers, and others who may have direct and unmonitored contact with students in the PSB.

1. **Access to Criminal History Information**
 - a. Criminal Offender Record Information (CORI). The PSB shall obtain from the MA Department of Criminal Justice Information System (DCJIS) all available CORI for any current or prospective employee or volunteer within the school district and for any subcontractor or laborer commissioned by the school committee or school to perform work on school grounds, who may have direct and unmonitored contact with children, including individuals who regularly provide school-related transportation to children. Such CORI shall be accessed periodically, but not less than every three years.
 - b. Fingerprint-Based Criminal Background Checks. The PSB shall obtain a state and national fingerprint-based criminal background check for all current and prospective employees of the school department who may have direct and unmonitored contact with children, for all individuals who regularly provide school-related transportation to children, and for any subcontractor or laborer commissioned by the school committee or school to perform work on school grounds who may have direct and unmonitored contact with children, including, but not limited to, employees of extended day and/or other after school programs that are regularly conducted on PSB school property.
 - c. Sex Offender Registry Information (SORI). The PSB shall annually request SORI from the Brookline Police Department for the purpose of determining the suitability of current and prospective employees and volunteers.
2. **Procedures for Accessing Criminal History Information.** All criminal history checks, including access to CORI, fingerprint-based criminal background information, and SORI shall be conducted solely for the purpose meeting the PSB’s obligations under G.L. c. 71, s. 38R and for other lawful purposes, and in conformity with all applicable federal, state and local laws, regulations, by-laws, and this policy. The Superintendent of Schools or his/her designee shall develop procedures for the implementation of this policy that are consistent with G.L. c. 71, s. 38R, 803 CMR, and this policy, and that reflect the minimum standards of the DCJIS Model CORI Policy, including, procedures for conducting CORI screening, accessing CORI, CORI training, the use of criminal history in background screening, verifying subjects’ identities, inquiring about criminal history, determining suitability, making adverse decisions based on CORI, and the

maintenance of secondary dissemination logs.

3. **Training of Personnel.** All personnel authorized to conduct CORI and fingerprint-based criminal background checks shall review, and be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.
4. **Confidentiality.** Access to CORI, the results of fingerprint-based criminal background checks, and SORI is restricted by law and shall be disseminated only as authorized by law or regulation. Access to criminal history information within the PSB shall be limited to those individuals who are authorized to have such access.
5. **Fees.** Any PSB employee or prospective employee required under G.L. c. 71, s. 38R to submit to registration in any or all criminal background registries shall be responsible for any fees related to the processing of that registration, unless such fee is waived due to financial hardship on the part of the employee or applicant.

References:

G.L. c. 71, s. 38R, as amended by *Chapter 459 of the Acts of 2012*

803 CMR 1.00, *et seq.* and 803 CMR 2.00, *et seq.*

DCJIS Model CORI Policy (2013)

G.L. c. 6, s. 172, 178

G 2 n. Equity Policy - Staff Recruitment and Retention
(Voted 4/27/23; #23-41)

The Public Schools of Brookline recognize that for the sake of student achievement, community, and belonging, the demographic makeup of the educator workforce should broadly reflect that of the student body. Accordingly, PSB seeks to recruit and retain educators from groups that are currently underrepresented relative to the local community served by PSB.

1. Recruitment

PSB will take active measures to recruit and hire educators from groups that are currently underrepresented relative to the local community served by PSB. For example, for educators of color, such steps may include, but are not limited to:

- Targeted outreach to race-based affinity groups and affinity spaces, including the holding of events aimed at recruiting educators of color.
- Recruitment from Historically Black Colleges and Universities, the Hispanic Association of Colleges and Universities, Tribal Colleges and Universities, and institutions serving a large AAPI population.
- Recruitment of educators of color from outside Massachusetts. Such educators may be given guidance on the requirements for obtaining a Massachusetts teaching license. Where appropriate, PSB may seek a waiver of the license requirement from the Massachusetts Department of Elementary and Secondary Education (DESE) while the educator works to obtain the required license.
- Intersectional recruitment across multiple identities, for example recruitment of LGBTQ educators of color.

Recruitment will be led collaboratively by the Office of Human Resources and the Office of Educational Equity.

2. Retention

A. Mentoring. All pre-PTS educators will have access to culturally competent mentorship that is centered on coaching and peer support, not evaluation. Such mentorship should help the teacher to navigate PSB services (e.g. Human Resources, Teaching and Learning, and Instructional Technology) and to address professional interactions that may involve bias or insensitivity.

B. Community Building. PSB will take active measures to:

- Validate and affirm educators across multiple layers of identity by creating intentional spaces (e.g. staff affinity groups) to uncover their experiences, sentiments, and needs.
- Train educators to confront and challenge biased, racist and xenophobic behavior at the moment it occurs, especially in group settings.

- Provide tailored support to new colleagues as needed. Such support is in addition to, not in place of, individual mentorship as described in “A.”

C. Supervision and Evaluation. All supervisors (e.g. principals, vice principals, and curriculum coordinators) who are responsible for evaluating other employees will undergo anti-bias training. This training is meant to ensure that procedures for supervision and evaluation are unbiased and afford employees timely feedback and support.

3. Outcome Measurement

On an ongoing basis, the Subcommittee on Diversity, Equity, Inclusion, and Justice will work with the PSB administration to review progress on recruiting and retaining a diverse body of educators. No later than October 31 of each year, the Superintendent will present data to the Subcommittee on Diversity, Equity, Inclusion and Justice on the demographics of the PSB workforce, as of October 15, including data on recent hiring, departures, and granting of Professional Teacher Status; said report shall be made to the full School Committee no later than December 31 of each year.

SECTION G
PERSONNEL

3. Professional Development:

a. Professional Staff Development Opportunities: (Voted 9/11/84, #84-403)

The Brookline School Committee encourages the continuing growth and development of the professional staff through such vehicles as the Teacher Administrator Training Fund, curriculum and training workshops, the Boston University Consortium, and the use of tuition vouchers to support individual course work at area colleges and universities.

G 3 b. Professional Organizations: (Voted /11/84, #84-403)

The School Committee encourages participation of its professional staff in state, regional, and national organizations which promote the improvement, betterment, or growth of the respective professions. The Committee recognizes and reaffirms the right of its staff to join and participate in such organizations as the National Council for the Social Studies, the National Council of Teachers of Mathematics, the National Association of Elementary School Principals, etc.

G 3 c. Exchange Teaching: (Voted 9/11/84, #84-403)

The School Committee recognizes the value of promoting and encouraging and exchange of staff members with other domestic schools or overseas schools as a means of providing students with differing cultural perspectives. To this end, the Committee encourages participation in domestic exchange programs or foreign exchange programs, such as the Fulbright Exchange Program. All exchange teachers employed by the Public Schools of Brookline must be approved by the School Committee.

G 3 d. Professional Research and Publishing: (Voted 9/11/84, #84-403)

The Brookline School Committee encourages its professional staff to engage in research, publication or other related activities that contribute to knowledge and enhance their own professional lives, so long as these activities do not derogate from their duties as members of the Brookline staff.

No employee may test, gather data, interview, produce research, or actually compose materials involving students, staff, or activities of the Brookline Public Schools while performing duties expected of them by the School Committee, without the explicit approval of the Superintendent of Schools. The School Committee reserves the copyrights to any such material, subject to the U.S. copyright laws.

G 3 e. Professional Staff Tutoring and Consulting: (Voted 9/11/84, #84-403)

Nothing in School Committee policy prevents a teacher from providing tutoring, teaching, coaching, or consulting services for compensation, so long as such services do not derogate from his or her duties as a Brookline staff member.

G 3 f. Non-School Employment by Professional Staff Members:

(Voted 9/11/84, #84-403)

The School Committee is the exclusive employer of its professional staff. Any staff member may accept speaking, writing, lecturing or other engagements of a professional nature, as he/she deems fit, including the acceptance of honoraria, provided they do not derogate from his/her duties as a Brookline staff member.

G 3 g. Professional Staff Promotions: (Voted 9/11/84, #84-403)

All qualified professional employees will be given an adequate opportunity to apply for any positions normally considered to be above their rank and status. The procedures to be followed in such an event are listed in this section under Section G 2. Recruitment, Selection and Staffing.

G 3 h. Professional Staff Leave Days: (Voted 9/11/84, #84-403)

All professional staff members are entitled to one professional leave day annually. Additional requests for educational days are submitted for approval to the Principal/Head of School, Assistant Superintendent for Integrated Student Services, or Curriculum Coordinator before submitting to the Assistant Superintendent for Curriculum and Instruction. A request for a Travel Form must be filed with the Assistant Superintendent for Curriculum and Instruction at last one calendar week in advance of the date requested. The final disposition of the request is at the discretion of the Assistant Superintendent for Curriculum and Instruction.

SECTION G PERSONNEL

4. *Supervision and Evaluation:*

a. *Supervision and Evaluation:*

In order to promote effective teaching, the School Committee endorses the establishment of both a strong and supportive staff supervision process and a fair and constructive evaluation process. To achieve this end, the job descriptions of all administrative staff shall include clear and concise statements of supervisory authority and responsibility. In addition, the School Committee supports on-going training of administrative staff in the skills of supervision and evaluation.

Parent and student comment regarding professional staff shall be encouraged (see *G 4 e Parent Comment Sheet*, Page G 56). Peer evaluation, as provided for in the Brookline Educators Association contract, shall also be encouraged. This policy shall be carried out in accordance with the provisions of the contract with the Brookline Educators Association.

G 4 b. *Superintendent's Evaluation:* (Voted 12/9/86, #86-550, 551; 4/27/83, #93-125; 4/29/97, ES; 2/12/09, #09-14)

Evaluation of staff serves two important purposes: it identifies areas for professional learning and growth, and it allows for mutual accountability between staff and supervisor. As part of its official duty to oversee the Superintendent of the Public Schools of Brookline (PSB), therefore, the School Committee will conduct an annual evaluation of the Superintendent to assess his/her performance relative to agreed-upon annual goals, the PSB Strategic Plan, and/or other relevant planning documents.

The School Committee may solicit input from a broad range of sources as part of its evaluation process, including School Committee members, senior staff and others who report directly to the Superintendent, teachers, parents, selected Town employees, and members of the community. The School Committee will also ask the Superintendent to complete a self-evaluation as a regular part of the evaluation process.

The evaluation will culminate in (a) a written and oral communication outlining the Superintendent's accomplishments and challenges to date and setting measurable goals for the following year, and (b) a professional development plan for the Superintendent, including the allocation of available professional development resources. It will also form the basis for future contract and salary negotiations between the School Committee and the Superintendent.

In addition, the School Committee leadership will conduct regular, interim performance discussions with the Superintendent to assess progress on stated goals and priorities. The School Committee will develop and maintain written procedures to implement this policy. Prior to each review cycle, the School Committee and the Superintendent will review these procedures and any documents upon which the evaluation will be based.

G 4 c. Administrator Evaluation:***1. Principles of Effective Administrative Leadership***

The following principles were created by the Massachusetts Department of Education and were published in July, 1995. They have been adopted by the Public Schools of Brookline as the minimum standard for successful administrative performance.

I. EFFECTIVE INSTRUCTIONAL LEADERSHIP

The effective administrator works with others to create learning environments that address the needs of students.

- A. The administrator facilitates the development of a shared mission and vision.
- B. The administrator encourages and uses a variety of strategies to assess student performance accurately.
- C. The administrator applies current principles, practices, and research to foster effective teaching.
- D. The administrator leads the renewal of curriculum and instructional programs.
- E. The administrator promotes and models the effective use of appropriate instructional technologies.
- F. The administrator holds teachers accountable for having high standards and positive expectations that all students can perform at high levels.
- G. The administrator works with teachers and other staff to supervise and evaluate their performance, using performance standards, and to identify areas for growth.
- H. The administrator supports ongoing professional development.

II. EFFECTIVE ORGANIZATIONAL LEADERSHIP

The effective administrator creates a self-renewing organizational environment that consistently focuses on enabling all students to achieve at high levels.

- A. The administrator applies research and organizational leadership skills.
- B. The administrator demonstrates communication skills that are clear, direct, and responsive.
- C. The administrator creates a positive, informed climate for collegial teaching and learning.
- D. The administrator facilitates constructive change.
- E. The administrator plans for, models, and encourages collaboration and shared decision-making.
- F. The administrator applies strategic planning techniques that foster systemic approaches and result in sound decisions.

III. EFFECTIVE ADMINISTRATION AND MANAGEMENT

The effective administrator acts within legal and responsible guidelines to accomplish educational purposes and improve student learning.

- A. The administrator carries out personnel selection, supervision, evaluation, and management functions for the school or district effectively.
- B. The administrator applies current knowledge of policy formation and legal requirements within the scope of his/her responsibility.
- C. The administrator applies certain knowledge of fiscal management policy and practices within the scope of his/her responsibility.
- D. The administrator applies current knowledge of auxiliary programs (such as transportation, food services, pupil personnel services, maintenance, and facilities management) within the scope of his/her responsibility.
- E. The administrator uses appropriate technologies to administer his/her responsibilities.

IV. PROMOTION OF EQUITY AND APPRECIATION OF DIVERSITY

The effective administrator strives to ensure equity for all students and values diversity in the school environment.

- A. The administrator strives to ensure equity among programs and learning opportunities for staff, students, and parents.
- B. The administrator demonstrates appreciation for and sensitivity to the diversity among individuals.

V. EFFECTIVE RELATIONSHIPS WITH THE COMMUNITY

The effective administrator interacts with the community responsibly to address the needs of students.

- A. The administrator assesses the needs of parents and community members and involves them in decision-making.
- B. The administrator promotes partnerships among staff, parents, business, and the community.
- C. The administrator interprets, articulates, and promotes the vision, the mission, the programs, the activities, and the services of the school/district.

VI. FULFILLMENT OF PROFESSIONAL RESPONSIBILITIES

The effective administrator models professional behaviors that contribute to addressing the needs of students.

- A. The administrator demonstrates enthusiasm for his/her own learning.
- B. The administrator demonstrates and promotes an atmosphere of respect for others.
- C. The administrator models responsible behavior.

G 4 c. 2. Procedures for Evaluating Administrators

(May 30, 1996)

Mission Statement

The process of supervision and evaluation is central to the quality of the Brookline Public Schools. The process should have personal and professional benefits for the person being evaluated. The words supervision and evaluation are linked, and reflect a holistic view of a widely diverse series of interactions between the evaluator and the person being evaluated. The ultimate goal of supervision and evaluation is the growth of the individual which leads to the overall improvement of the system.

Formative and summative evaluation should be considered inseparable components of the entire process; the formative component includes goal setting, conferring, observation, informal interactions, and collaborative activities which inform, shape and validate the final summative evaluation. These activities may include: monthly synopses of planned job-related activities and professional development, meetings, presentations, informal consultation with colleagues, portfolios which validate individual and instructional goals, and verification of ongoing professional development.

ADMINISTRATOR EVALUATION TIME LINE

Administrators with Pre-Professional Administrator Status will follow the comprehensive evaluation procedure each year. Administrators with Professional Administrator Status will follow the four year cycle for evaluation.

I. THE FOUR YEAR CYCLE:

- Year 1: Peer Supervisory/Professional Development
- Year 2: Mid-Cycle Evaluation
- Year 3: Peer Supervisory/Professional Development
- Year 4: Comprehensive Evaluation

A. Year 1: Peer Supervisory/Professional Development

The purpose of years 1 through 3 is to extend and expand upon the Brookline Principles of Effective Administrative Leadership, descriptors, and recommendations from the Comprehensive Evaluation Year. Year 1 and year 3 consist of activities designed to assist the administrator to improve his/her performance. The activities in Year 1 and in Year 3 consist of Option A and Option B. Administrators who choose Option A in Year 1 must choose Option B in Year 3, and similarly, administrators who choose Option B in Year 1 must choose Option A in Year 3.

1. **By October 15** the administrator will present the evaluator with his/her Supervision/Professional Development Plan. The plan shall be composed of either:

Option A: a structured collaborative peer (administrator with administrator) supervision relationship.

OR

Option B: at least one of the following job-related activities:

- development or implementation of an innovative program or management initiative,
- conducting research,
- take a graduate course,
- develop and teach a post-secondary course
- undertaking projects mutually agreed upon by the evaluator and the administrator (e.g. grant writing, building community partnerships).

The structure of this year parallels Supervision/Professional Development Year 3.

2. **By May 15** the evaluator and administrator will meet to discuss:

- a) the progress of the administrator's Supervisory/Professional Development Plan, and
- b) plans for the next year (the Mid-Cycle Evaluation).

B. Year 2: Mid-Cycle Evaluation Year

The Mid-Cycle Evaluation Year is a continuation of the formative Supervisory/Professional Development Plan and a summative evaluation of the administrator's performance since the completion of the Comprehensive Evaluation Year. The Mid-Cycle Evaluation is based on the Brookline Principles of Effective Administrative Leadership and the evaluation document.

1. **By October 1** the administrator and the evaluator will meet to :

- a) discuss the administrator's performance, and
- b) review the Brookline Principles of Effective Administrative Leadership and the evaluation document.

2. **By April 15** the administrator and the evaluator will meet to review the administrator's performance. The evaluator will complete The Mid-Cycle Report of Administrator Effectiveness of the administrator's performance on each of the major areas indicated in the descriptors for the administrator's position.

C. Year 3: Supervisory/Professional Development Year

The purpose of years 1 through 3 is to extend and expand upon the Brookline Principles of Effective Administrative Leadership, descriptors, and recommendations from the Comprehensive Evaluation Year. Years 1 and 3 consist of activities designed to assist the administrator to improve his/her performance. The activities in years 1 and 3 consist

of Option A and Option B. Administrators who choose Option A in year 1 must choose Option B in year 3. Administrators who choose Option B in year 1 must choose Option A in year 3.

1. **By October 15** the administrator will present the evaluator with his/her Supervision/Professional Development Plan. The plan shall be composed of either:

Option A: a structured collaborative peer (administrator with administrator) supervision relationship.

OR

Option B: at least one of the following job-related activities:

- development or implementation of an innovative program or management initiative,
- conducting research,
- take a graduate course,
- develop and teach a post-secondary course
- undertaking projects mutually agreed upon by the evaluator and the administrator (eg. grant writing, building community partnerships).

The structure of this year parallels Supervision/Professional Development Year 1.

2. **By May 15** the evaluator and administrator will meet to discuss:

- a) the progress of the administrator's Supervisory/Professional Development Plan, and
- b) plans for the next year (the Mid-Cycle Evaluation).

D. Year 4: Comprehensive Evaluation Year

1. **By October 1** the evaluator and the administrator will meet to:

- a) review the Brookline Principles of Effective Administration Leadership and the evaluation document; and
- b) jointly develop goals. The evaluator will write up goals and provide a copy to the administrator within five school days of the meeting.

2. **By December 15** the evaluator and administrator will meet to review the administrator's performance for the first half of the year. The evaluator will complete a progress report and give it to the administrator within five school days of the meeting.

3. **By March 15** the administrator will provide the evaluator with a file that includes (but is not limited to) professional

development activities completed since the administrator's last comprehensive evaluation. The file for administrators in pre-professional status will include professional development activities since their appointment as an administrator in Brookline.

4. **By April 15** the Annual Report of Administrator Effectiveness will be completed by the evaluator and given to the administrator within five school days of the final evaluation meeting.

Administrators who teach will be observed teaching students at least once during the evaluation year.

II. OUT-OF-CYCLE EVALUATION

Any administrator with professional administrator status may be evaluated out-of-cycle. By November 15 of each year, the evaluator will provide the administrator with substantive reasons for undertaking the out-of-cycle. An out-of-cycle evaluation will follow a "minimally successful" or an "unsuccessful" evaluation. This decision to undertake an evaluation out-of-cycle, though grievable, shall not be subject to arbitration.

When performance of an administrator with professional administrator status is considered successful after having been evaluated out -of-cycle, that administrator's cycle will begin anew at the time of the successful evaluation.

III. DEFINITION OF TERMS

A. Department signifies department and program.

B. Principal refers to principal and head of school.

IV. DEVELOPMENT COMMITTEE Ratified June 1996

Carol Gregory	Co-Chair	Manuela Bartiromo
Bill Ribas	Co-Chair	Claire Jackson
Cathy Heller		Barbara Shea
Ilene Horwitz		Terry Kwan
Philip Katz		
Louise Tobasky		
Bernice Millman		

G 4 d. 3 Summative Evaluation For Assistant Building Administrators
 (Assistant Head of School, Assistant Principal, Dean, Vice-Principal)
 Document for the Comprehensive Evaluation Year -
 Report of Administrator Effectiveness
 (by April 15)

NAME:

SCHOOL:

POSITION:

DATE:

EVALUATOR:

• • • • • • • • • •

CORE VALUES:

- HIGH ACADEMIC ACHIEVEMENT FOR ALL STUDENTS
- EXCELLENCE IN TEACHING
- COLLABORATIVE RELATIONSHIPS
- RESPECT FOR HUMAN DIFFERENCES

A. LEADERSHIP

(descriptors)

1. Represents the principal/head of school/school community intelligently and persuasively throughout the community.
2. Assists principal/head of school in finding and organizing resources to support initiatives for improvement.
3. Models responsible behavior.
4. Assists principals/head of school in implementing the overall mission of the school and system-wide initiatives.
(Principles IID, VIC, and VC)

B. KNOWLEDGE OF THE FIELDS OF CURRICULUM, SUPERVISION, AND INSTRUCTION.

(descriptors)

1. Assists the principal/head of school in the ongoing assessment of total school program/curriculum.
2. Is knowledgeable about instructional theory and curriculum including current principles, practices, research, and technology.
3. Demonstrates enthusiasm for his/her own learning.
(Principles IC, ID, IE, VIA)

C. CLARITY OF COMMUNICATION

(descriptors)

1. Speaks knowledgeably and articulately when representing the school.
2. Writes and communicates in a clear, concise fashion.
(Principles IIB)

D. FACILITATION OF INSTRUCTIONAL PROCESSES

(descriptors)

1. Guides in the implementation and the selection and utilization of appropriate assessment and instructional techniques.
2. Works closely with the principal/head of school to assist in securing and supporting the best people for the school.
(Principles ID, IB)

E. APPROPRIATE AND EFFECTIVE EVALUATION

(descriptors)

1. Evaluates staff in accordance with established procedures of the Brookline Public Schools.
2. Supports and assists staff to work effectively and/or implement change.
(Principles IF, IG, IIA, IIIA, IIIB)

F. EQUITABLE, SENSITIVE AND RESPONSIVE INTERACTION WITH SCHOOL PERSONNEL AND COMMUNITY

(descriptors)

1. Fosters positive parent and community relations by initiating and encouraging appropriate procedures and activities.
2. Informs faculty of policies.
3. Encourages an atmosphere favorable to the voicing of ideas and opinions.
4. Creates a positive, informed climate for collegial teaching and learning.
(Principles IIC, IIE, VA, VB)

G. RESPECT FOR HUMAN DIFFERENCES

(descriptors)

1. Demonstrates an understanding and respect for diversity.
2. Demonstrates an appreciation for the expression of different ideas, approaches, points of view and conclusions.

H. MANAGEMENT

(descriptors)

1. Assists the principal in implementing appropriate procedures for the efficient operation of the school.
2. Assists the principal in the preparation of required reports.
3. Demonstrates knowledge of current fiscal management policy and practice.
4. Uses appropriate instructional technologies to administer his/her responsibilities.
5. Identifies and accomplishes yearly goals in concert with the shared mission and vision.
(Principles IA, IIF, IIB, IIIC, IIID, IIIE)

I. PROFESSIONAL RELATIONSHIPS

(descriptors)

1. Interacts with other professionals in a clear, direct, responsive, and collegial manner.
2. Participates in professional activities with peers and colleagues.
3. Treats others with respect.

(Please attach narrative and recommendations)

This evaluation indicates successful performance. Recommendations for continued growth are indicated above.

This evaluation indicates successful performance with some need for change. Recommendations for change are indicated above.

This evaluation indicates minimally successful performance but it will not be deemed successful hereafter without substantial improvement. Recommendations for improvement are indicated above.

This evaluation indicates unsuccessful performance. The areas of concern and recommendations are indicated above.

SUCCESSFUL OVERALL EVALUATION
UNSUCCESSFUL

EVALUATOR SIGNATURE:

DATE

ADMINISTRATOR SIGNATURE:

DATE

*signature only indicates the administrator has read the Comprehensive Evaluation Report. Administrators are encouraged to comment.

G 4 c. 4. Comprehensive Year Summative Evaluation For Curriculum/Program Administrators

Including, but not limited to: Supervisor of Libraries; SWS Coordinator; Winthrop House Coordinator; OFC Coordinator; Director of Technology; (k-12); Special Education Administrator; 9-12 Curriculum Coordinator; k-12 Curriculum Coordinator; k-8 Curriculum Coordinator.

Document for the Comprehensive Evaluation Year - Report of Administrator
Effectiveness (by April 15)

NAME:

SCHOOL:

POSITION:

DATE:

EVALUATOR:

• • • • • • • • • • • •
CORE VALUES:

- HIGH ACADEMIC ACHIEVEMENT FOR ALL STUDENTS
- EXCELLENCE IN TEACHING
- COLLABORATIVE RELATIONSHIPS
- RESPECT FOR HUMAN DIFFERENCES

A. LEADERSHIP

(descriptors)

1. Represents the Public Schools of Brookline intelligently and effectively throughout the community.
 2. Anticipates problems and responds appropriately.
 3. Facilitates constructive change.
 4. Supports the overall mission of the school and annual system-wide initiatives.
- (Principles IA, IID, and VC)

B. KNOWLEDGE OF THE FIELDS OF CURRICULUM, SUPERVISION, AND INSTRUCTION
(descriptors)

1. Keeps abreast of new thinking about curriculum, assessment and instructional theory and strategies.
 2. Is primarily responsible for guiding the development and implementation of curriculum and instruction.
 3. Demonstrates understanding of key concepts of classroom interaction.
 4. Creates a positive, informed climate for collegial teaching and learning.
- (Principles IA, IC, IIA, IIC)

C. CLARITY OF COMMUNICATION
(descriptors)

1. Listens to and respects different ideas, approaches, points of view and conclusions.
 2. Speaks knowledgeable and articulately when representing the department.
 3. Writes clear, concise memos, letters, and reports.
- (Principles IIA, IIB)

D. FACILITATION OF INSTRUCTIONAL PROCESSES
(descriptors)

1. Works to secure the best people and recommends to the Principal the best people for the department.
 2. Works to develop the departmental schedule and works collaboratively with the administrative team to develop the building schedule.
- (Principles IIE, IIF, IIIA)

E. APPROPRIATE AND EFFECTIVE EVALUATION
(descriptors)

1. Supervises and evaluates staff in accordance with established procedures and the Principles of Effective Administrative Leadership of the Brookline Public Schools.
 2. Understands both classroom and out-of-classroom work of members of the department.
 3. Demonstrates and promotes an atmosphere of respect for others.
 4. Writes clear, perceptive observation reports and evaluations.
- (Principles IG, IIA, IIB, IIC, IIIA, IIIB, VIB)

F. EQUITABLE, SENSITIVE AND RESPONSIVE INTERACTION WITH SCHOOL PERSONNEL AND COMMUNITY

(descriptors)

1. Plans effective department meetings.
2. Participates in school-wide and/or system-wide committees..
3. Is sensitive to and candid with staff, students, parents, and members of the community at large.
4. Maintains appropriate professional boundaries with staff, students, parents, and members of the community at large.

(Principles VA, VB)

G. RESPECT FOR HUMAN DIFFERENCES

(descriptors)

1. Reviews curriculum, instructional, and assessment practices to ensure no bias is present.
2. Looks for ways to expand own expertise in working with diversity of both staff and students.
3. Plans for, models, and encourages collaboration and shared decision-making.

(Principles IB, IF, IIA, IIE, IVA, IVB)

H. MANAGEMENT

(descriptors)

1. Prepares appropriate budget materials using appropriate fiscal practices.
2. Meets deadlines.
3. Makes appropriate expenditures for the department, working within the limitations of the allocated funds.
4. Uses appropriate instructional technologies to administer his/her responsibilities.

(Principles IA, IIF, IIB, IIC, IIID, IIIE)

I. PROFESSIONAL RELATIONSHIPS

(descriptors)

1. Interacts with other professionals in a clear, direct, responsive and collegial manner.
2. Participates in professional activities outside of the school.
3. Models responsible behavior.
4. Encourages professional development of staff.
5. Treats others with respect.

(Principle IH, VIA, VIC)

J. OTHER JOB SPECIFIC CRITERIA-TEACHING AND LEARNING

(descriptors)

1. Demonstrates ability to teach a wide variety of students.

2. Shows interest in continually developing own teaching techniques.
 3. Promotes and models the effective use of appropriate instructional technologies.
 4. Demonstrates enthusiasm for his/her own learning.
- (Principle IE, VIA)

(Please attach narrative and recommendations.)

This evaluation indicates successful performance. Recommendations for continued growth are indicated above.

This evaluation indicates successful performance with some need for change. Recommendations for change are indicated above.

This evaluation indicates minimally successful performance but it will not be deemed successful hereafter without substantial improvement.

Recommendations for improvement are indicated above.

This evaluation indicates unsuccessful performance. The areas of concern and recommendations are indicated above.

	OVERALL EVALUATION	
SUCCESSFUL	UNSUCCESSFUL	
EVALUATOR SIGNATURE:		DATE
ADMINISTRATOR SIGNATURE:		DATE

*signature only indicates the administrator has read the Comprehensive Evaluation Report.

Administrators are encouraged to comment.

*note:

This edited document satisfies all the principles developed by the Mass. Dept. of Education.

Joint Year Goals, Progress Report, and Supervisory/professional development plan for Mid-cycle evaluation are found with the Director of Personnel.

G 4 d. Teacher Evaluation:***1. Evaluation Criteria and Format***

The teacher's central role in the schools is classroom teaching. But the teacher's other roles outside the classroom are important, too; for example, in parent and community relations and as a member of the staff. This evaluation format seeks to identify the most important areas of performance within these roles, yet remain flexible enough for educators to communicate fully and honestly about teaching performance.

The criteria listed in the attached sheets are intended to represent the image of good teaching in Brookline, to serve as an aid for teacher self-evaluation, and to establish a standard towards which all members of the professional staff of the Brookline Public Schools can work cooperatively to improve instruction.

G 4 d. 2. Brookline Principles of Effective Teaching:

The following list summarizes the criteria by which teachers are to be evaluated. A more elaborative list, with examples of descriptors, can be found with the Director of Personnel.

- I. Currency of Curriculum
- II. Effective Planning and Assessment of Curriculum and Instruction.
- III. Effective Management of Classroom Environment
- IV. Effective Instruction
- V. Promotion of High Standards and Expectations for Students' Achievement
- VI. Promotion of Equity and Appreciation of Diversity
- VII. Fulfillment of Professional Responsibilities

G 4 d. 3 Procedure For Teacher Evaluation

ORIENTATION: In September of each year, all teachers with Professional Teacher Status (PTS) and teachers in Pre-PTS will meet with supervisors for an orientation of the evaluation procedures. It is the intent of this meeting to allow all staff the opportunity to enter the evaluation process with full and open knowledge of what the process is.

FREQUENCY OF EVALUATION: Pre-PTS teachers will be evaluated every year and teachers with PTS will be evaluated every other year.

OUT -OF-CYCLE EVALUATION: Any teacher with PTS may be evaluated out-of-cycle. On or before October 20, the supervisor will provide the teacher with the substantive reasons for undertaking the out-of-cycle evaluation, and it is understood this action does not necessarily imply a negative evaluative finding. This decision to undertake an evaluation out of cycle, though grievable, shall not be subject to arbitration.

When a PTS teacher's performance is considered satisfactory after having been evaluated out-of-cycle, that teacher's cycle will begin anew at the time of the satisfactory evaluation.

PRE-EVALUATION CONFERENCE: On or before October 15, supervisors shall meet with all Pre-PTS teachers and on or before December 1, supervisors shall meet with all PTS teachers in the year of their formal evaluation. These pre-evaluation conferences will address goals for the year, strengths of the teacher, relationships between current and previous evaluations and support available.

CLASSROOM OBSERVATIONS: a) There will be one announced, formal classroom observation for each Pre-PTS and for each PTS teacher in the year of their formal evaluation. Each formal classroom observation will be at least thirty (30) minutes in length for elementary teachers and a full period for secondary teachers. b) Supervisors may informally observe teachers at any time.

PRE-OBSERVATION CONFERENCE: A pre-observation conference may take place prior to a formal classroom observation. Requests for these conferences may be made by either the supervisor or the teacher.

POST-OBSERVATION CONFERENCE: A post-observation conference shall be held within seven (7) work days of the classroom observation, unless the supervisor and the teacher agree to waive the seven (7) day time line and arrange another mutually convenient date. A classroom observation report shall be completed at or after the post-observation conference. A copy of the completed observation form, signed by the teacher and the supervisor, will be given to the teacher.

Annual Evaluation Report and Staff Evaluation Report Forms are available with the Director of Personnel.

G 4 e. Parent Comment Sheet:

(Voted 6/5/78, #78-480; 9/11/84, #84-403; 11/3/80, #80-393; 4/6/81, #81-114; 9/1/84, #84-403)

Participation by parents and students in the ongoing process of education is encouraged by both the School Committee and the staff of the Public Schools of Brookline. In order to ensure that this is done in a constructive way, resulting in improved education and support for the children, parents and students shall be encouraged to comment on the school experience. It is hoped that this procedure will ensure fair and equitable treatment of persons involved and that it will supply the citizen with the desired information.

For this purpose a Parent Comment Sheet shall be made available to all parents through the office of each elementary school principal and the High School Head of School, through individual teachers, if they so desire, as well as through the school's PTO newsletter. The Comment Sheet is approved by the School Committee.

Recognizing the primary responsibility for the supervision and evaluation of staff lies with the administrative and/or supervisory staff, according to the procedures and criteria included in the teachers' contract, the School Committee suggests, as a means to channel parent comments constructively into this process at the appropriate level to the teacher directly or to his/her immediate supervisor, that the Parent Comment Sheet be adopted and made available to all parents. It is understood that these comment sheets shall not become part of any staff member's permanent file.

The Parent Comment Sheet shall be left on display in every principal's or head of school's office. They will be given to teachers to use if they so desire, and shall be given to PTO officers. The availability of these comment sheets shall be made known through the "Handbook for Parents", PTO Handbooks, and any general School Committee publications to parents.

Parents and students are also encouraged to follow the recommended procedures for handling criticisms of staff, as outlined in *Section G 4 g. Individual Questions, Concerns, and Criticisms* on Page G 65.

In the case of a non-tenured principal, the parents in that school will be advised in writing by November 15 by the Assistant Superintendent for Curriculum and Instruction of procedures used in the evaluation of principals, and of the fact that parents are specifically invited to submit their comments to the Assistant Superintendent for Curriculum and Instruction no later than February 1. It is assured that the procedures will be those which comply with the terms of the BEA contract in effect at the time.

PARENT COMMENT SHEET

Introduction

Recognizing that the primary responsibility for the supervision and evaluation of staff lies with the administrative and/or supervisory staff according to the procedures and criteria included in the teachers' contract, the Brookline School Committee suggests, as a means to channel parent comments constructively into this process at the appropriate level, to the teacher directly, or to is/her immediate supervisor, that the following Parent Comment Sheet be adopted and made available to all parents. It is understood that these comment sheets shall not become part of any staff member's permanent file.

Directions

Parents wishing to comment on their child's school experience are invited to fill out the following comment sheet. Additional paper may be used. Although signatures are optional, parents are encouraged to sign the comment sheet in order to allow communication between the parents and supervisor(or teacher), which is often constructive. After completing the comment sheet, parents may forward the sheet directly to the teacher or to the appropriate supervisor (principal or curriculum coordinator). It should be remembered that both positive and negative comments about your child's school experience can be beneficial.

Teacher's Name:

Date:

Questions

1. Do you have any general comments about your child's school experience?
2. Have you shared these comments with your child's teacher? How did the teacher respond?
3. Do you find it easy to communicate with your child's teacher? Explain.
4. If your child has had problems, how have they been handled?
5. Please use the space below for further comments you may have.

Signature:

(optional) _____

G 4 f. Student Comment Sheet : (Voted 6/5/78, #78-480; 9/11/84, #84-403)

The Brookline School Committee endorses the concept of student/teacher interaction and encourages teachers to actively seek and use student evaluation. To this end, the Brookline School Committee:

- a. Approves the High School Student Comment Sheet for use by all departments at the High School, with the exception of Guidance, Libraries, and Head of House. (These three departments all have evaluation sheets which have been found satisfactory by students and teachers.) This approval is with the understanding that the Student Comment Sheet shall be distributed by each teacher at least once to each class.
- b. Approves instruction sheet to be provided to each teacher for his/her use.
- c. Directs the head of school to assign to each department a specific week during the second and fourth quarters during which that department's teachers shall distribute the Comment Sheets.
- d. Directs that copies of the Student Comment Sheet shall be available in each department or office, and in the Head of School's office for use by students as they may wish.
- e. Suggests review of the above procedures or student evaluation after one year, such review to include teacher and student reaction.

The Student Comment Sheet may be given as often as desired, but must be distributed by each teacher at least once to each class. For one-semester fall courses the Student Comment Sheet should be distributed during the second quarter during the week designated for that department. For one semester spring courses, or for full year courses, the Student Comment Sheet should be distributed during the fourth quarter during the week designated by the department. The purpose in assigning a specific week within the quarter to each department's teachers is to protect students from being bombarded five or six times within a day or two with the same questionnaire, which can lead to less thoughtful responses.

An attempt has been made to make the Student Comment Sheet as relevant as possible for both the teacher and the students. It is recognized, however, that specific teachers may wish to gather from students information about the course which is not called for on the sheet. It is also recognized that some questions may not be relevant for certain departments. For these reasons, teachers are encouraged to discuss the Student Comment Sheets with the students ahead of time, to suggest additional questions under Section III, if they so desire, or to suggest deletion of certain questions through use of answer #6 "Does not apply to this course."

It should be noted that, unlike before, the student's signature is optional and also that teachers may, if they desire, elect to have the students take the questionnaire home or fill it out in class, whichever procedure the teachers prefer.

BROOKLINE HIGH SCHOOL
STUDENT COMMENT SHEET

Teacher's Name:

Course:

Date:

This evaluation is designed to help teachers to plan courses and to improve the quality of their classes. To be used in this way, the questionnaire must be taken seriously. Please give careful consideration to your answers. Specific comments are most helpful.

Section I:

Each question contains a statement. Consider the statement and decide where along the scale below the answer lies for you. Mark your response in the blank at the end of the statement. Space is provided below each question for optional comments.

SCALE

1. Strongly Agree
2. Somewhat Agree
3. Neither Agree or Disagree
4. Somewhat Disagree
5. Strongly Disagree
6. Does Not Apply to this course

1. The Teacher appears to know the subject well.

Comment

2. The teacher is well prepared for class.

Comment

3. Class sessions are well organized.

Comment

4. The teacher gives a clear explanation of the material.

Comment

5. The teacher makes me feel free to ask questions, disagree, express ideas, etc.

Comment

6. The teacher responds effectively to questions.

Comment

7. The work outside of class is relevant to class sessions.

Comment

8. The work required outside of class is appropriate in quantity and quality.

Comment

9. The textbooks are a useful part of this course.

Comment

10. The assigned reading helps me understand the subject matter of this course.

Comment

11. The teacher is available for individual help.

Comment

12. The teacher is interested in trying to help students.

Comment

13. The teacher is fair and impartial in dealing with students.

Comment

14. The grading system is reasonable.

Comment

15. This course has increased my interest in the subject matter.

Comment

16. This course has made a real contribution to my knowledge and understanding.

Comment

G 4 g. Individual Questions, Concerns, and Criticisms:

(Voted 6/5/78, #78-209, 210; 6/18/79, #79-246))

Participation by parents and students in the ongoing process of education is encouraged by both the School Committee and staff of the Brookline Public Schools. In order to ensure that this is done in a constructive way, resulting in improved education and support for the children, the following guideline is offered to both parents and students.

It is hoped that the following procedure for handling individual queries concerned with materials, program and staff will ensure fair and equitable treatment of persons involved and that it will supply the citizen with the desired information.

Individual questions may also be directed to staff in accordance with this procedure.

No School Committee policy shall limit the right of parents to petition the School Committee in order to discuss their child's education.

RECOMMENDED PROCEDURES AND SEQUENCE FOR HANDLING INDIVIDUAL QUESTIONS,
CONCERNS AND CRITICISMS

1. The teacher should be consulted, since many issues can be resolved through informal discussion.
2. The query may then go to the appropriate principal, curriculum coordinator, or to an officer of the PTO.
3. The next person who may be consulted is the Assistant Superintendent of Schools for Curriculum and Instruction.
4. The matter may then be brought to the attention of the Superintendent of Schools.
5. At any time, the parent or student may contact individual members of the School Committee.

SECTION G PERSONNEL

5. *Anti-Retaliation Policy – Adoption of Town’s Anti-Retaliation Policy* (Voted by the School Committee 12/14/06, #06-113)

Anti-Retaliation Policy

(Whistleblower of violations of law or risk to public health, safety or the environment)

In Accordance with the Massachusetts Anti-Retaliation statute, provided in M.G.L., Ch. 149, §185, the Town of Brookline, including the Brookline School Department (hereinafter, the “Town”) shall not take retaliatory action against an employee of the Town because the employee does any of the following:

1. Discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the Town, or of another employer with whom the Town has a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation promulgated pursuant to law, or which the employee reasonably believes poses a risk to public health, safety or the environment;
2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated pursuant to law, or activity, policy or practice which the employee reasonably believes poses a risk to public health, safety or the environment by the employer, or by another employer with whom the Town has a business relationship;
or
3. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of a law, or a rule or regulation promulgated pursuant to law, or which the employee reasonably believes poses a risk to public health, safety or the environment.

Notice to Town - In order to be protected against retaliatory action for acts described in # 1 above, the employee must provide a supervisor with written notice of the violation and afford the Town a reasonable opportunity to correct the alleged violation.

Exception: An employee is not required to provide written notice if:

1. He/she is reasonably certain that the activity, policy or practice is known to one or more supervisors of the Town and the situation is emergency in nature;
2. He/she reasonably fears physical harm as a result of the disclosure provided; or
3. the employee, for the purpose of providing evidence of what he/she reasonably believes to be a crime, makes the disclosure to either:

- a. a federal, state or local judiciary, or any member or employee thereof, or any grand or petit jury; or
- b. a federal, state or local law enforcement agency, prosecutorial office, or police or peace officer.

Key Terms – For purposes of this policy, the following words have the following meanings:

- “Employee” means any individual who performs services for and under the control and direction of the Town for wages or other remuneration.
- “Employer” means the commonwealth, and its agencies or political subdivisions, including, but not limited to, cities, towns, counties and regional school districts, or any authority, commission, board or instrumentality thereof.
- “Public body” means-
 - the United States Congress, any state legislature, including the general court, or any popularly elected local government body, or any member or employee thereof;
 - any federal, state or local judiciary, or any member or employee thereof, or any grand or petit jury;
 - any federal, state or local regulatory, administrative or public agency or authority, or instrumentality thereof;
 - any federal, state or local law enforcement agency, prosecutorial office, or police or peace officer; or
 - any division, board, bureau, office, committee or commission of any of the public bodies described in the above paragraphs of this subsection.
- “Retaliatory action” means - the discharge, suspension or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.
- “Supervisor” means any individual to whom the Town has given the authority to direct and control the work performance of the affected employee or who has authority to take corrective action regarding the violation of the law, rule or regulation of which the employee complains or any of the following persons or their successors:

Town Administrator
Town Hall, 333 Washington Street
Brookline, MA 02445
617-730-2211

Town Human Resources Director
Town Hall, 333 Washington Street
Brookline, MA 02445
(617) 730-2120

Superintendent of Schools
Public Schools of Brookline
Town Hall, 333 Washington Street
Brookline, MA 02445
617-730-2401

School Department Human Resources
Director
Town Hall, 333 Washington Street
Brookline, MA 02445
(617) 730-2405

False Accusations – The Town of Brookline also realizes that false accusation can have a serious effect on innocent employees. Just as the Town will not tolerate any retaliation against employees making reports in good faith, the Town will not tolerate any false complaints. If after investigation, it is clear that an employee who has accused another of engaging in unlawful activity has made the false accusation knowingly or without any good faith basis thereof, the accuser will be subject to disciplinary action, up to and including termination of employment.

Legal Action - Employees aggrieved by a violation of the law may institute civil action in the Superior Court in accordance with M.G.L. c. 149 §185 within two years of the alleged violation. Pursuant to M.G.L. c. 149, §185(f), an employee who institutes such a civil action shall be deemed to have waived any rights such an employee may have under any collective bargaining agreement, contract, common law, or any other state law, rule or regulation.

Posting - This policy shall be posted in common designated posting areas, the Town's Intranet, and in the Human Resources Department

SECTION G PERSONNEL

6. Policy Against Discrimination, Harassment, Sexual Harassment and Retaliation (Voted 3/16/17, #17-28; 1/7/21, #21-5)

Replaced *Safe Schools Policy* (10/26/06, #06-98; Revised 5/5/11, #11-41)

General Statement of Policy

The Public Schools of Brookline (PSB) is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination and harassment based on a protected category, and retaliation for engaging in a protected activity.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, The PSB has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation.

The PSB values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

This policy applies to all persons employed by, attending, or otherwise affiliated with the Public Schools of Brookline, including volunteers, interns, and partnering organizations.

I. Prohibited Discrimination and Harassment

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from or different treatment in activities, such as athletics, or employment. At other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, it can encompass sexual harassment. When an alleged violation of this nondiscrimination policy is reported, the allegations are subject to resolution using district procedures.

PSB prohibits all forms of discrimination and harassment in all of its programs, activities, and services based on a person's protected class under the law. Harassment prohibited by the PSB includes, but is not limited to, harassment on the basis of race, ethnicity, color, religion, national origin, sex, gender, sexual orientation, gender identity or expression, disability, age, genetic information, marital status, maternity leave, paternity leave, parental status, military and veteran status. Prohibited discrimination under this Policy includes discriminatory harassment and bullying. Prohibited discriminatory harassment and bullying is motivated by or expresses a negative attitude toward a person's membership in a protected class or protected characteristic and creates an intimidating,

hostile, or offensive environment. Conduct prohibited may include, but is not limited to, written, verbal or electronic express or physical act or gesture such as:

- Use of epithets, slurs or nicknames that refer to a person's protected characteristic such as, but not limited to, race or sexual orientation;
- Jokes that have the purpose or effect of demeaning or making fun of a person based on a protected characteristic;
- Graffiti or other visual messages or displays that degrade a person based on a protected characteristic, and;
- Any other verbal or non-verbal conduct that has the purpose or effect of creating a hostile work environment based on a person's protected characteristic.

Nothing in this policy shall limit the ability of PSB to enforce violations of its code of conduct in areas that may not legally qualify as discrimination, harassment, sexual harassment, or retaliation under state and federal law (e.g. harassment based on housing status, receipt of public benefits, economic class, etc.)

a. Disability Discrimination and Accommodation

The PSB is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal, state, and local laws and regulations pertaining to individuals with disabilities.

b. Nondiscrimination

The PSB adheres to all federal, state, and local civil rights laws and regulations prohibiting discrimination in public institutions of education. Discrimination on the basis of race, color, and national origin is prohibited by Title VI of the Civil Rights Act of 1964. Discrimination against persons with disabilities is prohibited by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 (Title II prohibits discrimination on the basis of disability by public entities, whether or not they receive federal financial assistance). Discrimination on the basis of sex is prohibited by Title IX of the Education Amendments of 1972.

c. Prohibited Sexual Harassment Massachusetts

While PSB prohibits all forms of discrimination and harassment, federal and state law require additional protections for sexual harassment. In Massachusetts, the legal definition for sexual harassment refers to sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a. submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,

- b. such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

The Massachusetts legal definition of sexual harassment is broad and in addition to the above examples, other sexually-oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place or educational environment that is hostile, offensive, intimidating, or humiliating may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances -- whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, touching, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences, and
- Discussion of one's sexual activities
- Taking or posting of photographs, videos or images of a sexual nature without consent

It should be noted that retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

d. Prohibited Sexual Harassment Title IX

Pursuant to regulations promulgated by Title IX of the Education Amendments of 1972, PSB shall adopt and publish a grievance process for responding to formal complaints of Sexual Harassment as defined under Title IX. Title IX requires that schools use a separate, but similar definition of Sexual Harassment when responding to formal complaints. According to Title IX, Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

- A PSB employee conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the PSB's education programs or activities; or

- Sexual assault, dating violence, domestic violence, or stalking (as defined under the Clery Act and the Violence Against Women Act)

Title IX also requires that the incident occurred in the United States, at PSB or during its programming, and the complainant must have been actively participating in or attempting to participate in PSB's educational programming or activities during the incident.

The Title IX Coordinator has the primary responsibility for coordinating the PSB's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination, harassment, and retaliation prohibited under this policy. Any District employee with knowledge of an allegation of sexual harassment must report it to the Title IX Coordinator. The District will promptly respond to all reports alleging Sexual Harassment to ensure a fair and equitable resolution to the report, provide support to the complainant, eliminate harassment, and impose discipline if necessary. Discipline may range from verbal reprimand to suspension or termination, in the case of an employee.

II. Policy Coordinators / Notice of Rights

Inquiries about this Policy or applicable law (including Title VI, Title IX, Section 504, and Title II of the Americans with Disabilities Act) may be directed to the designated PSB administrators listed below.

Contact information (telephone number, office address, email address) shall be identified in a Notice of Rights for each school, and a separate one for the District, and shall be posted, on the school and district website, in each school building, and within public areas of PSB administrative facilities.

The PSB administrators are responsible for consulting regarding the handling of complaints for consistency with this Policy and applicable procedures and legal requirements, and for identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The district's designated administrators are:

Regarding complaints of violations of a **student's** rights:

Elizabeth O'Connell
Interim Deputy Superintendent of Student Services
Title II, Title VI, and Title IX Coordinator
Town Hall, 333 Washington Street, 5th Floor
Brookline, MA 02445
Phone: 617-730-2447
Fax: 617-730-2066
liza_oconnell@psbma.org

Debra Bromfield
Section 504 and McKinney-Vento Interim Coordinator
 Town Hall, 333 Washington Street, 5th Floor
 Brookline, MA 02445
 Phone: 617-730-2460
 Fax: 617-730-2066
 debra_bromfield@psbma.org

Regarding complaints of violations of an **adult's** rights (staff, visitors, contractors, etc.):

Paul Toner
 Interim Human Resources and Labor Relations Director
 Title IX and Title VII Coordinator
 Town Hall, 333 Washington Street, 5th Floor
 Brookline, MA 02445
 Phone: 617-730-2410
 Fax: 617-730-2601
 paul_toner@psbma.org

III. Prohibited Retaliation

The PSB prohibits punitive action of any kind against a person for engaging in protected conduct such as reporting, filing a complaint, or opposing acts of discrimination, sexual harassment and/or retaliation, or for participating in an investigation into or proceeding relating to alleged discrimination, sexual harassment and/or retaliation. Prohibited retaliation may include, but is not limited to:

- disciplining a person, or taking any other adverse action against a person based on a person's protected conduct,
- discriminating against a person in the PSB services, programs and activities because of a person's protected conduct, and
- subjecting a person to harassment, bullying, shunning, hazing, or name-calling, or any other hostile verbal or non-verbal conduct on the basis of a person's protected conduct.

IV. Reasonable Accommodation

The PSB will reasonably accommodate persons with disabilities and with religious observance or practice requirements. A reasonable accommodation is one that would not pose an undue financial or administrative burden on the PSB by being unduly costly, extensive, substantial or disruptive, or by fundamentally altering the nature or operation of the PSB's programs, services or activities. Depending on the facts, examples of reasonable accommodations may include, but are not limited to, a modified work or break schedule, altering how or when job duties are performed, reasonable modifications to policies and procedures, supplying an auxiliary aid or service to permit effective communication, and providing assistive technology or removal of an architectural barrier.

Persons seeking reasonable accommodations should direct their request to the applicable Coordinator designated in Section II.

Students seeking a Section 504 accommodation or special education services in order to access the PSB's educational programs should contact the Office of the Deputy Superintendent for Student Services for more information about any special procedures (including complaint procedures) applicable to Section 504 accommodations and special education services.

V. Other Prohibited Actions

Also, prohibited by this Policy is knowingly making a false accusation of discrimination, sexual harassment or retaliation, or interfering with the investigation into such conduct by, for example, pressuring, goading, or encouraging false denials or covering up such conduct.

VI. Duties and Responsibilities

In each school, the Principal is responsible for receiving complaints/reports of violations of this Policy at the school level. The Superintendent is responsible for receiving complaints/reports of violations by a Principal or a Deputy Superintendent. The Chair of the School Committee is responsible for receiving complaints/reports of violations by the Superintendent. Any other person designated by the Principal, Superintendent, or School Committee Chair to receive complaints/reports shall forward them to the person responsible for receiving them under this paragraph. A Coordinator identified in Section II will be consulted regarding next steps consistent with this Policy and applicable law.

PSB staff, independent contractors and school volunteers who witness or become aware of discrimination, sexual harassment and/or retaliation shall immediately report such conduct to their direct superior. If the reporting party does not feel comfortable reporting to their direct superior, they may report it to the Superintendent or a Coordinator identified in Section II. All allegations of Sexual Harassment shall be reported to the Title IX Coordinator.

Each member of the school community is responsible for cooperating with the PSB's investigation of reports or complaints of violations of this Policy and with the PSB's efforts to prevent, respond effectively to, and eliminate any such conduct.

The Superintendent is responsible for:

- developing procedures to implement this Policy, which shall be consistent with legal requirements and PSB Policy and procedures, including, but not limited to, the Bullying Prevention Policy and procedures, the Student Discipline Policy, and applicable collective bargaining agreements.

- Otherwise developing guidelines to effectively implement this Policy and comply with applicable law, which may include guidelines regarding:
- publication of this Policy and Notices of Rights to the entire school community in an age appropriate manner and in the languages most prevalent within the school community, including in School Handbooks, and
- in-service training; and
- student training.

VII. Investigations / Corrective Action / Recordkeeping / Reporting

The PSB shall take prompt and effective steps reasonably calculated to end any discrimination, sexual harassment or retaliation and prevent any such conduct from recurring. The decision to discipline, the nature of any disciplinary action, and the disciplinary procedures followed shall comply with the PSB's disciplinary policies (including, but not limited to, Section J(8), PSB Policy Manual), applicable collective bargaining agreements, and federal and Massachusetts state law (including, but not limited to, Title IX, M.G.L. c. 71, §§ 37H, 37H ½, and 37H ¾, and in the case of students with disabilities, the federal Individuals with Disabilities Education Act).

Records regarding any actions taken in response to report or formal complaint of discrimination or harassment investigations must be retained and available to parties for a minimum of seven years.

The Coordinators will each prepare an annual report to the Superintendent and School Committee (without personal identifying information) regarding the number and resolution of any complaints or reports of violations under this Policy, along with any measures taken in the prior year, and/or anticipated for implementation in the coming year, to systemically address and prevent violations under this Policy. Both substantiated and unsubstantiated complaints or reports of violations of this Policy shall be included in the annual report to the Superintendent and School Committee. In assembling the annual report, the Coordinators shall include all written complaints or reports of violations under this Policy to which the Coordinators become aware, irrespective of whether the complaints or reports of violations comply with the formal procedural mechanisms for reporting. The Coordinators shall make their best effort to include subtotals and subcategories of reported violations in the annual report to the Superintendent and School Committee, so as to best inform the Superintendent and School Committee of the state of reported discrimination and harassment in the schools.

For allegations of sexual harassment specifically, the report shall include at minimum: (i) the total number of allegations of sexual harassment reported to the district's Title IX coordinator by a student or employee of the district against another student or employee of the district; (ii) the number of allegations made by a student or employee of the district against another student or employee of the district investigated by a local or state law enforcement agency, if known; (iii) the number of students and employees found responsible for violating the district's policies prohibiting sexual harassment; (iv) the number of students and employees found not responsible for violating the district's

policies prohibiting sexual harassment; and (v) the number of disciplinary actions imposed by the district as a result of a finding of responsibility for violating the district's policies prohibiting sexual harassment. Such incident data shall be reported in the form and manner that complies with state and federal privacy laws.

The annual report to the Superintendent and School Committee shall be submitted no later than June 15 of each year and shall be publicly posted in a manner accessible to the general public by July 1 of that same year.

VIII. Contact Information for State & Federal Agencies

PSB urges all individuals in the school community to bring any concerns or complaints of discrimination or harassment to the attention of school personnel so that they can be addressed. If either party to the complaint is dissatisfied with the results or progress of the PSB's investigation, they may discuss this directly with the Superintendent of Schools. Below are the relevant state and federal agencies if the party is unsatisfied with PSB's response or would rather contact them directly.

The state agency responsible for enforcing laws that prohibit harassment in the workplace is the Massachusetts Commission Against Discrimination (MCAD), One Ashburton Place, Suite 601, Boston, MA 02108-1518; telephone (617) 994-6000; TTY Users (617) 994-6196. The time frame for filing a complaint with the MCAD is within 300 days from the date of the most recent incident of alleged harassment. The state agency responsible for ensuring that Massachusetts public schools do not discriminate on the basis of protected characteristics is the Massachusetts Department of Elementary and Secondary Education (DESE), 75 Pleasant Street, Malden, MA 02148-4906; telephone (781) 338-3300; TTY Users (800) 439-2370. The MA DESE's Program Quality Assurance Services (PQA) accepts complaints when the alleged violation occurred no more than one year before PQA received the written complaint.

The Equal Employment Opportunity Commission (EEOC) is the federal agency that enforces federal laws prohibiting employment discrimination. The deadline for filing a complaint with the EEOC is within 300 days from the day of the alleged discrimination. The EEOC is located at JFK Federal Bldg., 475 Government Center, Boston, MA 02203; (617) 565-3200 or (800) 669- 4000; TTY Users (800) 669-6820. The US Department of Education's Office for Civil Rights (OCR) is a federal agency that enforces five federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, sex, disability and age in programs or activities that receive federal financial assistance from the US Department of Education. In most cases, a complaint must be filed with OCR within 180 calendar days of the date of the alleged discrimination. OCR is located on the 8th Floor, 5 Post Office Square, Boston, MA 02109-3921; telephone (617) 289-0111, fax (617) 289-0150.

Legal References

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and its implementing regulations, 34 C.F.R. Part 100; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*; Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*,

and its implementing regulations, 34 C.F.R. Part 106; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 *et seq.*, and its implementing regulations, 28 CFR Parts 104 and 300; Title II of the Americans with Disabilities Acts (ADA), 42 U.S.C. § 12131 *et seq.*, and its implementing regulations, 28 C.F.R. Part 35; the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621 *et seq.*, and its implementing regulations, 29 C.F.R. 1625 and 1626 *et seq.*;

the Age Discrimination Act of 1975, 42 U.S.C. § 6101 *et seq.* and its implementing regulations, 34 C.F.R. Part 110; the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff *et seq.*, and its implementing regulations, 29 C.F.R. Part 1635 *et seq.*;

the Uniformed Services and Reemployment Rights Act (USERRA), 38 U.S.C. § 4301 *et seq.*, and 20 C.F.R. Part 1002; Massachusetts General Laws (M.G.L.) Chapter 76, § 5; M.G.L. c. 151B; and M.G.L. Chapter 151C.