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PERSONNEL POLICIES GOALS

The Ayer Shirley Regional School Committee's specific personnel goals are:

1. To develop and implement those strategies and procedures for personnel recruitment, screening, and selection that will result in the employment and retention of individuals with the highest capabilities, strongest commitment to quality education and greatest probability of effectively implementing the District's learning program.
2. To develop a general staff assignment strategy that will contribute to the learning program; and to use it as the primary basis for determining staff assignments.
3. To provide positive programs of staff development that contribute both to improvement of the learning program and to each staff member's career development aspirations.
4. To provide for a genuine team approach to education.
5. To develop and use, for personnel evaluation, positive processes that contribute to the improvement of both staff capabilities and the learning program.

LEGAL REF: 603 CMR 26:08 paragraph 3,7,8,9

EQUAL EMPLOYMENT OPPORTUNITY

The Ayer Shirley Regional School District provides equal employment opportunity (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws. The Regional School District complies with applicable state and local laws governing non-discrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including, but not limited to hiring, placement, promotion, termination, layoff, recall, transfers, leave of absence, compensation, and training.

The Ayer Shirley Regional School District expressly prohibits any form of unlawful employee harassment based on race, color, gender identity, religion, gender, sexual orientation, national origin, age, genetic information, disability, or veteran status. Improper interference with the ability of the Regional School District's employees to perform their expected job duties is absolutely not tolerated.

SOURCE: MASC

LEGAL REF: BESE Regulations 603 CMR 26.00

CROSS REF: AC, Nondiscrimination

First Reading, September 19, 2012
Adopted by the ASRSD October 17, 2012

SCHOOL COMMITTEE-STAFF COMMUNICATIONS

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

Staff Communications to the School Committee

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

School Committee Communications to Staff

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

Visits to Schools

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

STAFF ETHICS / CONFLICT OF INTEREST

The Ayer Shirley Regional School Committee expects members of its professional staff to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, parents, coworkers, and officials of the school district.

No employee of the Committee will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school district. Nor will any staff member engage in any type of private business during school time or on school property.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to him/her.

In order to avoid the appearance of any possible conflict, it is the policy of the Regional School Committee that no employee is hired who is an immediate family member of any member of the Committee, or an immediate family member of any administrator in the school district. This provision will not affect anyone currently employed in the district that may be related to either a Committee member or an administrator but no promotions or hiring in the future will be exempt from this provision.

Discussions among teachers concerning association matters on Regional School District property will take place only while all of the teachers involved in such discussions are on break or other free non teaching time, and not in the presence of students.

LEGAL REFS: M.G.L. 71:52; 268A:1 et seq.

STAFF CONDUCT

All staff members have a responsibility to familiarize themselves with and abide by the laws of the state as these affect their work, the policies of the Regional School Committee, and the regulations designed to implement them.

In the area of personal conduct, the Committee expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school district but also sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Committee and their implementing regulations and school rules in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern for and attention to their own and the school district's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.
6. Care and attention to interaction with students.
7. Confidential information not to be discussed or reviewed outside of professional obligation.

LEGAL REFS: M.G.L. 71:37H; 264:11; 264:14

GIFTS TO AND SOLICITATIONS BY STAFF

Gifts

The acceptance of gifts worth \$50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in his or her public role, violates the conflict of interest law. Acceptance of gifts worth less than \$50, while not prohibited by the conflict of interest law, may require a written public disclosure to be made.

In keeping with this policy, no employee of the school district will accept a gift worth \$50 or more that is given because of the employee's public position, or anything that the employee could do or has done in his or her public position. Gifts worth less than \$50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of \$20 value is the same as 1 gift of \$80 if given in the same calendar year).

In general, homemade gifts without retail value are permissible because a reasonable person would not expect an employee would unduly show favor to the giver, so no disclosure is required. Such gifts could include homemade food items (cookies, candy, etc), handpicked flowers, and handmade gifts worth less than \$10 (ten) dollars.

Class Gifts

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

Gifts for School Use

Gifts given to a teacher solely for classroom use or to purchase classroom supplies are not considered gifts to an individual employee and are not subject to the \$50 limit. However, an employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

Solicitations

In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support. However, the solicitation of funds from staff members through the use of school personnel and school time is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members.

Staff members of course remain free to support charitable causes of their own selection.

SOURCE: MASC December 2012

Legal Refs: M.G.L. 268A:3; 268A:23; 930 CMR 5.00

CROSS REFS: KHA, Public Solicitations in the Schools
JP, Student Donations and Gifts

First Reading for amendment, May 22, 2013
Second Reading for amendment, June 4, 2013
Approved as amended, June 4, 2013

DRUG-FREE WORKPLACE POLICY

The Ayer Shirley Regional School Committee will provide a drug-free workplace and certifies that it will:

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, is prohibited in the district's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the district's policy of maintaining a drug-free workplace; and available drug counseling, rehabilitation, and employee assistance programs; and the penalty that may be imposed on employees for drug abuse violations occurring in the workplace.
3. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.
4. Notify the employee in the required statement that as a condition of employment under the grant, the employee will abide by the terms of the statement, and will notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
5. Notify the federal agency within ten days after receiving notice from an employee or otherwise receiving notice of such conviction.
6. Take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted; take appropriate personnel action against such an employee, up to and including termination; or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health law enforcement, or other appropriate agency.
7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

LEGAL REFS: The Drug-Free Workplace Act of 1988

TOBACCO USE ON SCHOOL PROPERTY

Consistent with the provisions of Chapter 71(1993): Smoking, including vapor/E-cigarettes, and all forms of tobacco use, within school buildings, the school facilities or on school property or buses, by any individual, including school personnel, is prohibited.

Staff members who violate this policy will be referred to their immediate supervisor.

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

First Reading for Amendment, January 3, 2017
Second Reading for Amendment, January 18, 2017
Amendment Adopted by ASRSD, January 18, 2017

STAFF ACCEPTABLE USE OF TECHNOLOGY

The following standards will apply to all adult users of the District's electronic information/communications systems:

ONLINE CONDUCT/SOCIAL MEDIA

Use of the Internet at the Ayer Shirley Regional School District is a privilege and inappropriate use of the Internet may lead to a loss of this privilege.

The Superintendent and the School Principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital work as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process.

The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using Facebook and/or similar Internet sites or social networks, or via cell phone, texting or telephone:
 - a. Teachers may not list current students as "friends" on networking sites.
 - b. All e-contacts with students should be through the district's computer and telephone system, except in emergency situations.
 - c. All contact and messages by coaches with team members shall be copied to the athletic director and the school principal.
 - d. Messages sent by coaches to individual team members concerning medical or academic privacy matters will be copied to the parent, the athletic director and the school principal.
 - e. Teachers will not give out their private cell phone or home phone numbers without prior approval of the District.
 - f. Inappropriate contact via e-mail or phone is prohibited.
2. Inappropriateness of posting items with sexual content.
3. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol.
4. Examples of inappropriate behavior from other districts, as behavior to avoid.
5. Monitoring and penalties for improper use of district computers and technology.
6. Outlining the possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.
7. Guidelines for Internet use by staff:
 - a. Do not reveal any personal contact information relating to yourself or other students or staff members that consist of names, address, and/or telephone numbers.
 - b. Staff is not to post private information as it relates to fellow students, district staff, or academics. Nor shall defamatory material concerning a person or group be sent or retrieved.
 - c. Staff use of Internet is for academic purposes only or other uses as deemed appropriate by the Ayer Shirley Regional Technology Department.
 - d. At all times appropriate Internet etiquette is to be adhered to. There is to be no use of profanity, vulgarities, or inappropriate language of any kind.

8. Staff is to abide by the restrictions placed on Internet access through the districts content filtering service. Users shall not attempt to circumvent the filtering service to access sites deemed inappropriate by the district.
9. The individual in whose name a system account is issued will be responsible at all times for its proper use.
10. Staff may not use another person's system account without written permission from the appropriate administrator or Technology Department.
11. Staff may not distribute personal information about themselves or others by means of the district electronic communication system.
12. The system is not to be used for financial gain by means of personal or district property.
13. The system may not be used for illegal purposes, in support of illegal activities, or for any other activities prohibited by District policy.
14. Staff may not redistribute copyrighted programs or data except with the written permission of the copyright holder or designee. Such permission must be specified in the document or must be obtained directly from the copyright holder in accordance with applicable copyright laws.
15. Staff is not to download open source, freeware and/or shareware programs to the network without prior consent from the technology department.
16. Staff may not purposefully access materials that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal.
17. System users should be mindful that use of school-related electronic mail addresses might cause some recipients or other readers of that mail to assume they represent the District or school, whether or not that was the user's intention.
18. Staff may not waste District resources related to the electronic communications system by sending system wide, non-district related emails.
19. System users may not gain unauthorized access to resources or information.
20. Attempts to read, delete, or modify the electronic mail of other system users or deliberate interference with the ability of other system users to send/receive electronic mail, or the use of another person's user ID and/or password is prohibited.

VANDALISM PROHIBITED

1. Any malicious attempt to harm or destroy District equipment or data of another user of the District's system or any of the agencies or other networks that are connected to Internet is prohibited.
2. Such prohibited activity includes, but is not limited to, the uploading or creating of computer viruses and attempts to hack into secure data.

DEVELOPMENT OF WEB PAGES

The District will maintain a web site following these guidelines:

1. All pages posted to the District web site will be approved by the Technology Department before posting for public access.
2. All web pages posted to the District web pages become the property of the District.
3. Information identifying individual students will not be posted on the web site without written consent from the student and parent.

4. Staff who assemble and design a web page are expected to adhere to standards of decency and utilize content that is strictly for educational purposes.

The Superintendent or designees will periodically conduct Internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and websites are discovered, the School Principals and Superintendent will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up and including termination.

DISCLAIMER

The District's system is provided on an "as is, as available" basis. The District does not make any guarantee on the stability of connections but will take every necessary precaution to maintain consistent network and Internet connectivity.

SIGNATURE

All staff users of technology will be required to complete a signature document to be kept on file in each school office.

CROSS REF: IJNDB, Student Acceptable Use of Technology

*First Reading for Amendment, May 1, 2012
Amendment Adopted by the ASRSD, May 16, 2012*

STAFF PERSONAL SECURITY, HEALTH, AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Ayer Shirley Regional School Committee will seek to assure the safety of employees during their working hours and assist them in the maintenance of good health.

The Superintendent may require an employee to submit to a physical examination by a physician appointed by the school district whenever that employee's health appears to be a hazard to children or others in the school district or when a doctor's certificate is needed to verify need for sick leave.

LEGAL REFS: M.G.L. 71:54; 71:55B; 71:55C

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Ayer Shirley Regional School Committee recognizes that employees of the school district have the same fundamental civic responsibilities and privileges as other citizens. Among these, is campaigning for an elective public office, and holding an elective or appointive office.

In connection with campaigning, an employee will not: use school district facilities, equipment or supplies; discuss his/her campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Under no circumstances will students be pressured into campaigning for any staff member.

No Committee shall by rule, regulation, or otherwise, restrict any teacher in, or dismiss him/her for, exercising his/her right of suffrage, signing nomination papers, petitioning the general court or appearing before its committees, to the extent that such rights, except voting, are not exercised on the school premises during school hours, or when their exercise would actually interfere with the performance of school duties.

LEGAL REF: M.G.L. 71:44

PERSONNEL RECORDS

Information about staff members is required for the daily administration of the school district, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the Regional School Committee's education reporting requirements. To meet these needs, the Superintendent will implement a comprehensive and efficient system of personnel records maintenance and control under the following guidelines:

1. A personnel folder for each present and former employee will be accurately maintained in the central administrative office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, payroll deductions, evaluations, and any other pertinent information.
 2. The Superintendent will be the official custodian for personnel files and will have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law.
 3. Personnel records are considered confidential under the law and will not be open to public inspection. Access to personnel files will be limited to persons authorized by the Superintendent to use the files for the reasons cited above.
 4. Each employee will have the right, upon written request, to review the contents of his/her own personnel file.
1. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include his/her written response in the file.
 2. Lists of school district employees' names and home addresses will be released only to governmental agencies as required for official reports or by the laws.
 3. HIPAA Medical Privacy
The Ayer Shirley Regional School District is not a covered entity as defined by HIPAA; however, we do maintain health care and related plans that are subject to HIPAA requirements. Thus, the Regional School District has made a decision that HIPAA privacy and security provisions will apply to protected health information (PHI) maintained by the District.

HIPAA regulations will be followed in administrative activities undertaken by assigned personnel when they involve PHI in any of the following circumstances: health information privacy, health information security and health information electronic transmission.

The Regional School District will consider any breaches in the privacy and confidentiality of handling of PHI to be serious, and disciplinary action will be taken in accordance with our code of conduct.

The Ayer Shirley Regional School District has designated a HIPAA compliance officer (HCO), and questions regarding policy provisions should be addressed to the HCO. This policy is supplemented by new operating procedures issued by the HCO and will be effective immediately. District records that are governed by this policy will be maintained for a period of no less than six years, and when the maximum retention period has passed, the records will be subject to the District's policy for completed record destruction.

LEGAL REFS: Family Educational Rights and Privacy Act, Sec. 438,
 P.L. 90-247, Title IV, as amended
 88 Stat. 571-574 (20 U.S.C. 1232g) and regulations
 M.G.L. 4:7; 71:42C
 Teachers' Agreement

CONTRACT REF: All Agreements

STAFF COMPLAINTS AND GRIEVANCES

The Ayer Shirley Regional School Committee will encourage the administration to develop effective means of resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication among the staff, administration, and Committee.

It is the Committee's desire that grievance procedures provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and that each employee be assured opportunity for an orderly presentation and review of complaints and concerns.

Channels established will provide for the following:

1. That teachers and other school employees may appeal a ruling of a principal or other administrator to the Superintendent.
2. That all school employees may appeal a ruling of the Superintendent to the Committee, except in those areas where the law has specifically assigned authority to the principal and/or the Superintendent and Committee action would be in conflict with that law.
3. That all hearings of complaints before the Superintendent or Committee be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

The process established for the resolution of grievances in contracts negotiated with recognized employee bargaining units will apply only to "grievances" as defined in the particular contract.

LEGAL REFS: M.G.L. 150E:5; 150E:8; 71:59, 71:59B

CONTRACT REFS: All Contract Agreements

PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school district will be created initially by the Regional School Committee. It is the Committee's intent to activate a sufficient number of positions to accomplish the school district's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the Committee may abolish a position it has created.

Each time a new position is established by the Committee, the Superintendent will present for the Committee's approval a job description for the position, which specifies the job holder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

PROFESSIONAL STAFF SALARY SCHEDULES

Teachers

The Ayer Shirley Regional School Committee will adopt a salary schedule for regular teaching personnel as part of the contract negotiated with the teachers' bargaining unit. The schedule will be designed to recognize and reward training and experience and encourage additional study for professional advancement.

Principals

Salaries will be reviewed annually prior to July 1. The Regional School Committee, with the advice of the Superintendent, will establish levels of compensation for each position based on the circumstances, dynamics, and requirements of each position. Consideration may be given to individuals for exceptional performance as a basis for establishing merit increases for principals. It is the responsibility of the Superintendent to present evidence to the Committee to support recommendations for merit increases.

Administrators

Salaries will be reviewed annually prior to July 1. The Superintendent may, upon the request of the Committee, survey other school systems to determine salaries being paid for comparable positions in each system. The survey will include the effective date of the specified salary.

LEGAL REFS: M.G.L. 71:40; 71:43

CONTRACT REF: Teachers' Agreement

EMPLOYMENT OF PRINCIPALS

Principals shall be employed by the Ayer Shirley Regional School District under individual contracts of employment. Said contracts shall be submitted to the Regional School Committee for their approval of all terms concerning compensation/benefits, prior to the presentation of a contract of employment to the principal. The compensation/benefit levels, above referenced, may be exceeded only with the approval of the School Committee.

Contracts issued to principals will be up to three years in length, and may be reissued by the Superintendent at levels of compensation/benefits, determined by the Regional School Committee, provided that the Superintendent may employ a principal under the terms and conditions of the previous contract of employment.

As a condition of employment, each principal must maintain current licensure, adhere to the policies and goals of the Committee and the directives of the Superintendent, and annually must submit, with the school council, the educational goals and school improvement plan for the school building(s) under his/her direction.

LEGAL REF: M.G.L. 71:41

PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

Certain assignments require extra responsibility or extra time over and above that required of other staff members who are on the same position on the basic salary schedule. When such supplemental assignments require extra time and responsibility beyond that regularly expected of teachers, they will be rewarded with extra compensation.

Assignments that are to be accorded extra compensation will be designated by the Committee. Appointments to these positions will be made by the Superintendent for district-wide positions or by the principal with the approval of the Superintendent for building based personnel. The amount of compensation for the position will be established by the Committee at the time the position is created.

A teacher who is offered and undertakes a supplementary pay assignment will receive a supplementary contract specifying the pay, duration and terms of the assignment. If a teacher will not be extended the assignment for the following school year but will remain on the teaching staff, s/he will be so notified in writing prior to the expiration of the contract. Upon termination of the assignment, the supplementary pay will cease.

LEGAL REF: Collective Bargaining Agreement

STAFF FAMILY AND MEDICAL LEAVE

The Ayer Shirley Regional School District shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall issue, and from time to time amend, regulations setting forth the rights and procedures granted by the Act, and shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal oversight and delegation.

LEGAL REF: P.L. 103-3, "Family and Medical Leave Act of 1993."

PROFESSIONAL STAFF VACATIONS AND HOLIDAYS

Vacations

All administrators and other professional personnel employed on a 12-month basis will be entitled to annual vacation days.

Vacations for supervisory professional staff members who are employed on a 12-month basis and are members of a recognized bargaining unit will be established through negotiations. Vacations for supervisory personnel not in bargaining units will be established by the Committee and delineated in their individual contracts.

Holidays

Professional staff members will not be required to work on legal holidays. Paid holidays for the professional staff will be established when the Regional School Committee approves the calendar for the school year and will include all legal holidays.

LEGAL REFS: M.G.L. 4:7; 136:12

PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES

It is the responsibility of the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school district and it is the responsibility of the principal, in consultation with the Superintendent to determine the personnel needs of the individual schools. Any recommendations for the creation or elimination of a position must be approved by the Regional School Committee.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the characteristics of the town and the need for a heterogeneous staff from various cultural backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current employee may apply for any position for which s/he has certification and meets other stated requirements.

Openings in the schools will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

CONTRACT REF: Collective Bargaining Agreements

PROFESSIONAL STAFF HIRING

Through its employment policies, the district will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will be based upon an awareness of candidates who will devote themselves to the education and welfare of the children attending the schools.

It is the responsibility of the Superintendent, and of persons to whom s/he delegates this responsibility, to determine the personnel needs of the school district and to locate suitable candidates. No position may be created without the approval of the Regional School Committee and for which a job description has been approved. The District's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children.

It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the Committee for the type of position for which the nomination is made.

The following guidelines will be used in the selection of personnel:

1. The Ayer Shirley Regional School District provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, gender identity, religion, gender, sexual orientation, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws. The Regional School District complies with applicable state and local laws governing non-discrimination in employment in every location in which the District has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
4. The administrator responsible for the hiring of a staff member is directed to establish a representative screening committee. The responsible administrator in the case of district-wide principal positions is the Superintendent. The responsible administrator for building based personnel is the principal, but the decision is subject to final approval by the Superintendent. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee, a representative screening committee may be established by the School Committee or the School Committee may direct the Superintendent to Committee or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making his/her recommendation to the School Committee.

LEGAL REFS: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45; 71:55B
Massachusetts Board of Education Requirements for Certification of
Teachers, Principals, Supervisors, Directors, Superintendents and
Assistant Superintendents in the Public Schools of the Commonwealth
of Massachusetts, revised 1994
BESE Regulations 603 CMR 7:00, 26.00 and 44:00

CROSS REF: GBA

NOTE: School Committees may determine the size and composition of the
screening committee.

First Reading for Amendment, September 19, 2012
Adopted by the ASRSD, October 17, 2012

PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Part-Time Teachers

Teachers may be employed on a part-time basis. The salary of part-time teachers will bear the same ratio to the first step of the salary schedule that the teacher would earn if employed full-time as the hours worked bear to the hours the teacher would work if employed full-time (for example, a teacher employed for half the number of hours would receive half the salary of a full-time teacher).

Substitute Teachers

The school district will employ as substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments and will assign teachers substitute-teaching positions on the basis of their areas of competence. When the supply of potential substitutes in a particular subject area is too limited to meet school district needs, there will be active recruitment for substitutes in those areas. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided with as much support as possible by building administrators and teachers.

The Regional School Committee will approve the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the Committee.

PROFESSIONAL STAFF DEVELOPMENT

The Ayer Shirley Regional School Committee recognizes the need and value of professional staff development programs and opportunities to increase the competencies and skills of personnel in areas that benefit the school district. Administrative and supervisory personnel are expected to participate periodically in in-service workshops, and instructional conferences of state and national educational organizations, seminars and graduate study programs to improve skills in personnel management, supervision and improvement of instruction, public relations, and other aspects of school management.

The Committee, to the extent possible, will allocate funds in support of personnel indicating an interest to support participation in professional activities directly and demonstrably related to the performance of assigned professional responsibilities, considering the needs and priorities of the school district as a whole.

PHILOSOPHY OF STAFF DEVELOPMENT

All staff members will be encouraged in and provided with suitable opportunities for the development of increased competencies beyond those they may attain through the performance of their assigned duties and assistance from supervisors.

Opportunities for professional growth may be provided through such means as the following:

1. Planned in-service programs and workshops offered within the school district from time to time; these may include participation by outside consultants.
2. Membership on curriculum development committees drawing personnel from within and without the school district.
3. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings.
4. Leaves of absence for graduate study, research, and travel.
5. Partial payment of tuition for approved courses.

The Superintendent will have authority to approve or deny released time for conferences and visitations and reimbursements for expenses, provided such activities are within budget allocations for the purpose.

PROFESSIONAL TEACHER STATUS

Teachers and certain other professional employees who have served in the school district for three consecutive years shall be entitled to professional teacher status. The Superintendent, upon recommendation of the principal, may award such status to a teacher who has served in the principal's school for not less than one year or a teacher who has obtained such status in any other public school district in the Commonwealth. The Superintendent will base his/her decisions on the results of evaluation procedures conducted according to Committee policy.

At the end of each of the first three years of a teacher's employment, it will be the responsibility of the Superintendent to notify each employee promptly in writing of the decision on reappointment. Notification to a teacher not being reappointed must be made by June 15 or at an earlier date if required by a collective bargaining agreement.

Nothing in these provisions will be considered as restricting the Superintendent from changing teaching assignments or altering or abolishing supervisory assignments except that, by law, no teacher may be assigned to a position for which s/he is not legally qualified.

Established by law and Committee policy

LEGAL REFS: M.G.L. 71:38; 71:38G; 71:38H; 71:41; 71:42; 71:43

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The basic consideration in the assignment of professional staff members will be the needs of the students and the instructional program.

Therefore, the assignment and transfer of professional staff members will be accomplished by the Superintendent on the basis of the employee's qualifications, the needs of the school district, and the employees' expressed desires.

Care will be exercised by the Superintendent to assure that all schools are staffed with effective teachers. Within an individual school, the building administrator will have the authority to assign classes and courses, provided this is done with full regard for the teacher's area of certification and the policies delineated above.

CONTRACT REF: Teachers' Agreement

PROFESSIONAL STAFF TIME SCHEDULES

Administrators

The nature of the duties and responsibilities of administrators and supervisors will require their hours of work to vary and extend as necessary to fulfill the requirements of their positions.

During the course of their contract year, all administrators will be expected to work during the hours and on the days that the Superintendent's office is open unless special scheduling arrangements have been made with the Superintendent. On days schools are closed because of bad weather or other emergencies, all staff members except those who work only on teacher work days are required to report to work as soon as they are able to do so.

The working year for administrators will be established individually through their contracts.

LEGAL REF: M.G.L. 71:80

EVALUATION OF PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the schools, a continuous program for teacher and administrator evaluation will be established by the Regional School Committee. Regular reports will be made to the Superintendent concerning the outcomes of these evaluations.

The evaluation process will include:

1. The development and periodic review of techniques and procedures for making evaluations.
2. Interpretation of the information gained in the evaluative process in terms of the objectives of the instructional program.
3. The application of the information gained to the planning of staff development and in-service training activities, which are designed to improve instruction and increase teacher competence.

The evaluation process will include self-evaluation, supervisor initiated observations, and teacher-initiated observations.

The formal evaluations will be written and will be discussed by the supervisor and the person being evaluated. The discussions may either precede or follow the writing of the evaluation document. Copies of the written document will be signed by both parties and incorporated into the personnel files of the teacher or administrator. In addition, the individual and his/her department chairman (if applicable) will receive a signed copy. The signature should indicate that the evaluation has been read and discussed.

The written evaluation should be specific in terms of the person's strengths and weaknesses. Those areas where improvement is needed should be clearly set forth and recommendations for improvement should be made. Subsequent evaluations should address themselves to any improvement or to any continuing difficulty that is observed.

The performance standards developed either by mutual agreement or as a result of arbitration will be incorporated in the collective bargaining agreement and may be used in decisions to dismiss, demote or remove a teacher or administrator pursuant to M.G.L. 71:42; 71 :42A and 71:63.

CONTRACT REF: Teachers' Agreement

LEGAL REFS: M.G.L. 69:IB; 71:38; 71:38Q; 150E; 152B and 603 CMR 35:00

RESIGNATION OF PROFESSIONAL STAFF MEMBERS

Professional staff members may discontinue their service in the school district during the school year by submitting a written notice of intent to resign to the appropriate hiring authority and accepted by the Superintendent.

Such written notice of intent to resign will be given to the Superintendent. The staff member will be notified in writing of the Superintendent's action on the resignation.

When a resignation is accepted by the Superintendent the employee may be expected to continue in service at his/her assigned duties for a period of 30 days after submission of the resignation.

RETIREMENT OF PROFESSIONAL STAFF MEMBERS

Annually in February, the Superintendent will inform the Regional School Committee of the professional staff members who have indicated their intentions to retire at the end of the next school year. No further School Committee action is necessary unless approval is needed for the payment of or participation in continued local benefits.

LEGAL REF: Age Discrimination in Employment Law, P.L. 95-256

CONTRACT REF: Teachers' Contract

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

The Superintendent will strive to assist personnel to perform their duties efficiently. However, the Superintendent may dismiss any employee in accordance with state law. Further, the Committee recognizes the constitutional rights of the District's employees and assures them the protection of due process of law. To guarantee such rights, a system of constitutionally and legally sound procedures will be followed in each case of suspension or dismissal of an employee.

When the Superintendent or a principal determines that sufficient cause exists that a professional employee be suspended or dismissed from service in the school district, s/he will:

1. Be certain that each such case is supported by defensible records.
2. Determine if the individual is to be suspended immediately with the understanding that the suspension will be subject to restoration of salary and position if an appeal is decided in favor of the individual.
3. Follow the procedures for dismissal or suspension that are contained in applicable laws as well as those included in the current agreement with the teachers' bargaining unit.
4. Provide the individual involved with a written statement that will:
 - a. Indicate whether the action the Superintendent is taking is dismissal or suspension.
 - b. State the reason for the suspension or dismissal.
 - c. Guarantee that all procedures will be in accord with due process of law.
 - d. Inform employees who have a right to request a hearing under appropriate laws that they may be represented at such a hearing by counsel of their choice.

LEGAL REFS: M.G.L. 71:42; 71:42D; 71:43A; 71:43B

TUTORING FOR PAY

Definition: "Tutoring" means giving private instruction or help to an individual or group for which the teacher receives remuneration other than through the Regional School Committee.

Tutoring is not to be recommended for a student unless the appropriate teacher of the student involved is consulted and agrees that it will be of real help. If tutoring seems advisable, the principal may give the parents a list of persons who are willing to tutor. This list may include teachers, **but not the student's teacher of the subject in which s/he is to be tutored.**

Tutoring for pay is not to be done in the school building.

SUPPORT STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the school district must participate intelligently and effectively for the benefit of the children. This school district will employ support staff members in positions that function to support the education program.

All support staff positions will be established initially by the Regional School Committee. In each case, the Superintendent will submit for the Committee's consideration and action a job description or job specifications for the position. Subsequent positions could be recommended by the Superintendent to the Regional School Committee.

Although positions may remain temporarily unfilled, or the number of persons holding the same type of position reduced in event of de-staffing requirements, only the Committee may abolish a position it has created.

SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS

In establishing salaries and salary schedules for support staff personnel, the Regional School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school district.

Compensation plans will be reviewed annually for all categories of staff. Such review, where applicable, will be carried out in connection with negotiations with representatives of recognized bargaining units. The master agreements with these units will be considered appendices to this manual and will have the full force of School Committee policy.

The rates of pay for personnel not covered by collective bargaining agreements will be set by the Regional School Committee.

LEGAL REF: M.G.L. 71:38

CONTRACT REFS: All Contracts

SUPPORT STAFF SUPPLEMENTARY PAY PLANS

All support staff employees will be paid overtime wages for work performed in agreement with their contract.

In counting hours for the purpose of allowing overtime work and pay, supervisors will consider vacation time as "time worked." Sick leave and holidays are not counted for the purpose of establishing eligibility for overtime.

Every effort must be made to minimize overtime by scheduling duties during the regular work day. All such work will be assigned on a fair and equitable basis.

SUPPORT STAFF FRINGE BENEFITS

Benefits in addition to basic salary are recognized by the Regional School Committee as an integral part of the total compensation plan for staff members. The benefits extended to regular full-time support staff members will be designed to promote their economic security and will include a comprehensive health insurance program.

LEGAL REFS: M.G.L. 71:37B; 71:48B

SUPPORT STAFF AND FAMILY MEDICAL LEAVE

The school district shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall issue, and from time to time amend, regulations setting forth the rights and procedures granted by the Act and shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal oversight and delegation.

LEGAL REFS: P.L. 103-3, "Family and Medical Leave Act of 1993"

SUPPORT STAFF RECRUITING/POSTING OF VACANCIES

The School Committee will establish, and budget for, support staff positions in the school district on the basis of need.

The recruitment and selection of candidates for such positions will be the responsibility of the principal (for building based positions) or the Superintendent (for district-wide positions). The Superintendent must approve all selections made by the principal. It is expected that the person responsible for recruitment and selection will confer with principals and other supervisory personnel, as appropriate, in making a selection.

All support staff vacancies will be made known to all support staff personnel.

SUPPORT STAFF HIRING

All candidates will be considered on the basis of their merits, qualifications, and the needs of the school district. In each instance, the Superintendent and others playing a role in the selection process will seek to employ the best qualified person for the job.

The Ayer Shirley Regional School District provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, national origin, age, disability, genetic information, marital status, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws. The Regional School District complies with applicable state and local laws governing non-discrimination in employment in every location in which the District has facilities. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

Vacancies in positions will be filled by the Superintendent and/or the principal in accordance with the law and with the applicable regulations. Vacancies filled by the principal require approval from the Superintendent.

LEGAL REFS: M.G.L. 71:55B; 71:59B; 264:14

CROSS REF: GBA

"AT WILL" EMPLOYMENT

As an employee of the Ayer Shirley Regional School District, you are considered an "at will" employee. Simply stated, "at will" employment means that you or the school district can terminate employment at anytime without any advance warning or notice.

This is a simple legal clarification of employment. Once a year you will receive a "reassurance" letter stating the above regarding employment.

SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

The Superintendent will make district-wide assignments and transfers of support staff members for the efficient operation of the school district as necessary.

The preferences of employees will be taken into consideration in making assignments and transfers; however, the best interests of students and the school district must be given priority.

Within an individual school, the principal may assign support staff members to tasks appropriate to their positions and qualifications.

CONTRACT REFS: All Support Staff

SUPPORT STAFF TIME SCHEDULES

The work day and the work year for members of the support staff will be as set forth on the salary schedule.

Specific time schedules for support staff members will be set by the appropriate administrators in line with pertinent school opening and closing times, student schedules, and so on. Administrators will inform the Superintendent of the assigned schedules so that there may be continuity as needed throughout the school district.

EVALUATION OF SUPPORT STAFF

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable work loads, and established wage and salary policies that encourage employees to put forth their best efforts. The evaluation of employee achievements and the provision of a good atmosphere in which to work are some of the major duties of the Committee.

The evaluation will cover the major areas of the employee's responsibilities and will include the following:

1. Specific work assignment
2. Interacts well with students
3. Interacts well with supervisors, teachers, fellow employees, parents, and community members
4. Job Performance

Each employee will be informed of the basis upon which s/he is to be evaluated in advance of evaluation.

SUPPORT STAFF PROMOTIONS

When support staff vacancies are to be filled, preference will be given to qualified applicants from within the school district, provided their qualifications (proven and potential ability, training, experience, and personal characteristics) are equal to those of other applicants. However, the best qualified person from among all who apply within and without the school district will be selected.

The performance of an employee promoted to a higher position will be reviewed during the probationary period in the new job. The employee will discuss the reviews with his/her supervisor or principal and will receive a copy of each. At the completion of the appraisal period, the employee will be notified of non-continued or continued employment.

RETIREMENT OF SUPPORT STAFF MEMBERS

All full-time non-instructional personnel are required to participate in the Commonwealth of Massachusetts Retirement System.

Periodically, the Superintendent will present to the Committee the names of support staff members who have indicated their intentions to retire.

LEGAL REFS: Age Discrimination in Employment Law, P.L. 95-256

SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

Support staff employees employed by the school district may be terminated by the principal of the building in which they serve with the approval of the Superintendent. However, employees may request the Superintendent to review the circumstances of their termination.

Support staff employees will generally be given notice of their dismissal two weeks prior to the effective date.

The Superintendent, or the principal, with the approval of the Superintendent, may also suspend employees from their assignments.