

SECTION G
PERSONNEL

G	EMPLOYEE CONDUCT
GA	PERSONNEL POLICY GOALS
GBA	EQUAL EMPLOYMENT OPPORTUNITY
GBAA	SEXUAL HARASSMENT POLICY
GBEA	STAFF ETHICS/CONFLICT OF INTEREST
GBEB	STAFF CONDUCT AND DUTIES
GBEBA	STAFF CELLULAR AND PERSONAL COMMUNICATIONS SERVICES TELEPHONE USAGE POLICY
GBEBC	GIFTS TO AND SOLICITATIONS BY STAFF
GBEBD	ONLINE FUNDRAISING AND SOLICITATIONS – CROWDFUNDING
GBEC	DRUG FREE WORKPLACE POLICY
GBED	TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED
GBGB	STAFF PERSONAL SECURITY AND SAFETY
GBGE	DOMESTIC VIOLENCE LEAVE
GBGF	FAMILY AND MEDICAL LEAVE
GBI	STAFF PARTICIPATION IN POLITICAL ACTIVITIES
GBJ	PERSONNEL RECORDS
GBK	STAFF COMPLAINTS AND GRIEVANCES
GCA	PROFESSIONAL STAFF POSITIONS
GCBA	PROFESSIONAL STAFF SALARY SCHEDULES
GCBB	EMPLOYMENT OF PRINCIPALS
GCBC	PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

GCE	PROFESSIONAL STAFF RECRUITING/ POSTING OF VACANCIES
GCF	PROFESSIONAL STAFF HIRING
GCG	PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT
GCIA	PHILOSOPHY OF STAFF DEVELOPMENT
GCJ	PROFESSIONAL TEACHER STATUS
GCK	PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS
GCO	EVALUATION OF PROFESSIONAL STAFF
GCQF	SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS
GCRD	TUTORING FOR PAY
GCRD-R	ADMINISTRATIVE GUIDELINES FOR STAFF WHO PROVIDE PRIVATE TUTORING AND OTHER EDUCATIONAL SERVICES
GDA	SUPPORT STAFF POSITIONS
GDB	SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS
GDD	SUPPORT STAFF VACATIONS AND HOLIDAYS
GDO	EVALUATION OF SUPPORT STAFF

EMPLOYEE CONDUCT

All employees of Hanover Schools are expected to perform their duties with integrity and high standards. All staff members are expected to treat students and colleagues with respect and dignity and carry out their assigned duties with the physical, emotional and intellectual well-being of students in mind.

All employees shall refrain from associating with students at any time in a manner, which may give the appearance of impropriety. This includes but is not limited to any situation which could be considered sexually suggestive or involve controlled substances such as tobacco, alcohol, or drugs.

The use of tobacco and/or alcohol is prohibited in school buildings, on school grounds and on buses.

All employees and contracted service providers are expected to honor regulations relating to confidentiality of student records and other information.

All employees are encouraged to recommend students to appropriate resources when advising or counseling students in areas outside their expertise.

The Massachusetts State Ethics Commission recommends that all municipal employees refer to the following top ten rules municipal employees need to know about the conflict of interest law:

1. Whether elected or appointed, paid or unpaid, part-time, or full-time, you are a municipal employee subject to the conflict-of-interest law - even 'consultants' may be considered municipal employees.
2. Don't accept bribes (don't sell or trade your official actions).
3. Don't accept meals, tickets, or gifts from anyone to thank or reward you for any official action you have taken or may take or to influence you in any official action.
4. Be loyal to the municipality:
 - a. Don't accept money from or represent anyone other than the municipality for work involving the municipality.
 - b. Don't accept paid, private work that is incompatible with your public position and duties.
 - c. Don't improperly disclose or use confidential information that you obtained as a municipal employee.
5. Don't use your official position to get special benefits for yourself or anyone else that are not available to the public.
6. Don't create appearances of conflicts of interest: Publicly disclose significant relationships or circumstances that might cause a reasonable person to think that you might be unfair or biased in your official actions.
7. Don't act on any matter affecting your own financial interests or those of family members, partners, or organizations with which you have a private relationship.
8. Don't double dip. Don't accept an additional (even unpaid) municipal position before seeking legal advice.

9. After you leave municipal service:
 - a. Don't accept money from or represent anyone other than the municipality if the private work involves a matter that you participated in or worked on as a municipal employee.
 - b. Strictly observe the one-year "cooling off" rule: Don't represent or appear before municipal agencies for a private party on matters that were under your official responsibility" when you were a municipal employee.
10. Get Advice. Most of these rules have exceptions. Some are simple; some are not. Free legal advice is readily available from your municipal counsel or the State Ethics Commission at 617- 371-9500.

PERSONNEL POLICIES GOALS

The Hanover School Committee realizes that even though they are only involved in the process of hiring the Superintendent and Assistant Superintendent, they are responsible to the students and residents of the school district they represent, thus must ensure that the highest quality individuals available are hired to meet the needs of the District. They have the additional responsibility to articulate the expectations of the District relative to personnel. This must be done in the form of District Policy thus the District's specific personnel goals are:

1. To develop and implement 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 system'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 support and ensure a collaborative and inclusive process for decision making
5. To develop and use personnel evaluation processes that contribute to the improvement of both staff capabilities and the learning program.

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

EQUAL EMPLOYMENT OPPORTUNITY

The School Committee subscribes to the principle of the dignity of all people and of their labors. Any individual who is responsible for hiring and/or personnel supervision must understand that applicants are employed, assigned, and promoted without regard to their race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit, and ability.

*Race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REF.: M.G.L. 151B:4;
603 CMR 26:00
Acts of 2022, Chapter 117 -
<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

CROSS REF.: AC, Nondiscrimination

SEXUAL HARASSMENT POLICY

INTRODUCTION

It is the goal of the Hanover Schools to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by employees.

Because the Town of Hanover takes allegations of sexual harassment seriously, we will respond promptly where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

DEFINITION OF SEXUAL HARASSMENT

In Massachusetts, the legal definition for sexual harassment is this:

“Sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when: 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, 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.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The 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 environment that is hostile, offensive, intimidating, or humiliating to male or female workers 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, or cartoons.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, 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.

COMPLAINTS OF SEXUAL HARASSMENT

If any of our employees believe that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with one of the persons or agencies listed in Appendix A

SEXUAL HARASSMENT INVESTIGATION

When the Superintendent/Assistant Superintendent receives a complaint, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate, we will also impose disciplinary action.

DISCIPLINARY ACTION

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

STATE AND FEDERAL REMEDIES

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both government agencies listed in Appendix A. Using our complaint process does not prohibit you from filing a complaint with these agencies.

APPENDIX A - Superintendent, Assistant Superintendent, Affirmative Action Committee; Massachusetts Commission against Discrimination, One Ashburton Place, Boston, MA 02108; U. S. Equal Employment Opportunity Commission, Boston Office, One Congress Street, 10th Floor, Boston, MA 02114

CROSS REF: Town of Hanover Sexual Harassment Policy

https://www.hanover-ma.gov/sites/g/files/vyhlif666/f/uploads/town_of_hanover_sexual_harassment_policy.pdf

STAFF ETHICS / CONFLICT OF INTEREST

The 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/guardians, 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 their 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 outside employment 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 them.

Every two years, all current employees, including School Committee members, must complete the State Ethics Commission's online training. New employees must complete this training within 30 days of beginning employment and every 2 years thereafter. Upon completing the program, employees should print out the completion certificate and keep a copy for themselves. Employees will be required to provide a copy of the completion certificate to the municipal or district Clerk through the Superintendent's office.

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School Committee and the Municipal or District Clerk at least two weeks prior to executing the hiring in accordance with the law.

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

STAFF CONDUCT AND DUTIES

All staff members of the Hanover Schools are expected to perform their duties with integrity and high standards. All staff are expected to treat students and colleagues with respect and dignity and carry out their assigned duties with the physical, emotional, and intellectual well-being of the students in mind.

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 School Committee, and the regulations designed to implement them.

All staff shall refrain from associating with students at any time in a manner which is improper or gives the appearance of impropriety, including any situation which could be considered sexually suggestive or involve controlled substances such as tobacco, alcohol or drugs.

All staff are expected to honor regulations relating to confidentiality of student records and other information.

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. All staff are expected to ensure that students are adequately supervised at all times, and that this responsibility not be delegated. All staff shall report to the Principal situations that may pose a threat to the health or safety of those in his/her charge.
6. Teachers shall be expected to perform such reasonable in and out of class or supervisory assignments as deemed necessary by the principal or superintendent.
7. Teachers are expected to attend faculty meetings, professional activities, orientations, and in-service programs as deemed appropriate by the principals or Superintendent.

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

STAFF CELLULAR AND PERSONAL COMMUNICATIONS SERVICES TELEPHONE USAGE POLICY

Cellular and personal communications services (PCS) telephones, also commonly referred to as cell phones, should be used only for business purposes and when a safe, convenient, and less costly alternative is not available.

For safety concerns, telephone use while operating a vehicle is permitted only in emergency situations.

If a district-owned cell phone is used for non-school business, reimbursement to the district must be made for airtime and/or toll charges.

The district shall provide cell phones for each Principal to be used in emergency situations. Building administrators shall carefully evaluate the need for cell phones for their employees. This evaluation should be considered in the context of what other communication services are available, i.e., office telephones, voicemail, e-mail, pagers, and radios. In general, an employee who is not required to be mobile to deliver urgently needed goods and services does not require a cell phone.

The district budget will reflect the cost of the purchase of the equipment and the cost of the base monthly fee, airtime and toll calls for school business only. The Business Office shall closely scrutinize monthly invoices for service, airtime, and toll charges. Copies of invoices shall be forwarded to each cell phone user. It is expected that such reimbursement for personal calls will be made upon receipt of such invoices.

As with any district-owned equipment, employees must take proper care of cell phones and take all reasonable precautions against damage, loss, or theft. Any damage, loss, or theft shall be reported immediately to the Business Office.

Conversations over cell phones are easily monitored and may be monitored by outside parties. Confidential or sensitive information should never be discussed over cell phones.

GIFTS TO AND SOLICITATIONS BY STAFF

Gifts

The acceptance of personal gifts by school personnel from school suppliers, from parents and/or students can be subject to misinterpretation and a source of embarrassment to the school system and all persons involved. When families, students, or others wish to express personal appreciation to a teacher or other staff member, the School Committee urges them to find modes of expression that do not involve personal gifts.

Massachusetts Conflict of Interest Requirements:

1. Individual 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.
2. 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 a gift did not contribute to the class gift.
3. 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. Staff members of course remain free to support charitable causes of their own selection.

Any solicitation to the public by staff using online crowdsourcing/fundraising websites for the purpose of purchasing school resources and/or funding school activities must be approved in advance by the building principal. If the solicitation request is approved, the staff member must keep careful records of all funds raised. These records shall be submitted to the district business office upon request. All donated funds must be submitted to the district and all purchasers must follow district procurement policies. i.e., requisition/purchase order process.

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

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ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING

School District employees shall comply with all the following provisions relating to online solicitations and the use of crowdfunding services for school-related purposes as well as all applicable laws, regulations, and district policies. No online fundraising may occur except as provided below. Crowdfunding services are defined as any online service used for the solicitation of goods, services, or money from many people via the internet or other electronic network. Examples include GoFundme, Kickstarter, Indiegogo, YouCaring, and DonorsChoose.

The Superintendent shall have final authority to approve any online fundraising activities by school district employees and shall determine and communicate to Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy. The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation.

Any solicitation shall be for educational purposes only (field trips, supplies, supplemental materials, books, etc.). The solicitation of personal items (coats, nutritional snacks, etc.) shall only be to benefit students directly. To the extent an employee solicits any technology or software, the employee shall secure the prior written approval of the Director of Technology or designee prior to any such solicitation. Any employee seeking to display or post a photograph of a student in conjunction with a fundraising solicitation must first secure the written consent of the student's parent or guardian.

Employees shall not use a crowdfunding source, or set up their appeal in such a way, that they are asking for donations directly from people over whom the employee making the request has authority, or with whom the public employee is having official dealings (such as parents/guardians of student's in a teacher's classroom - the solicitation can say "Classroom X needs tissues and crayons," but it shouldn't be directed to parents/guardians who have shared email addresses with the teacher for purposes of communicating about their student).

Employees using crowdfunding services shall periodically disclose in writing to the Superintendent the names of all individuals whom the employee has directly solicited in any manner including but not limited to oral, written, or electronic solicitation. The Superintendent shall maintain these disclosures as public records available for public review.

Employees may only use crowdfunding services that send the items or proceeds solicited by the employee directly to the employee's school or to the school district. Employees must verify under the crowdfunding service's terms and conditions that they meet all requirements for such solicitation. Items or proceeds directly sent to employees are considered gifts to the employee and may result in violation of state ethics laws.

If an employee's proposal is approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

If a solicitation is not fully funded within the time required by the crowdfunding service, or the solicitation cannot be concluded for any reason, every attempt will be made to return donations to the donors. Donations unable to be returned shall only be used as account credits for future solicitations.

Unless otherwise approved by the Superintendent in writing, all goods and/or proceeds solicited and received through any online solicitation shall become the property of the School Committee, and not of the individual employee who solicited the item(s) or funds. The employee is prohibited from taking any such item(s) or funds to another school or location, without the Superintendent's written approval.

LEGAL REFS: MGL 44:53A; 71:37A; 268A:3; 268A:23;
 Ethics Commission Advisory Opinion EC-COI-12-1;

CROSS REFS: GBEA, Staff Ethics/Conflict of Interest;
 GBEBC, Gifts To and Solicitations by Staff;
 KCD, Public Gifts to Schools

DRUG-FREE WORKPLACE POLICY

The School District 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 work-place; 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.: *41 USC 81*

CROSS REFS.: *IHAMB, Teaching about Drugs, Alcohol, and Tobacco*
 JICH, *Drug and Alcohol Use by Students*

TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel, is prohibited at all times.

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

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

CROSS REFS.: ADC, Tobacco Products on School Premises Prohibited
JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

STAFF PERSONAL SECURITY AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the 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 system whenever that employee's health appears to be a hazard to children or others in the school system or when a doctor's certificate is needed to verify need for sick leave.

School employees, their families and members of their household are eligible to use the confidential services provided by the municipality's employee assistance program.

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

CROSS REFS.: EB, Environmental and Safety Program

DOMESTIC VIOLENCE LEAVE POLICY

It shall be the policy of the school district to permit an employee to take up to 15 days of domestic violence leave from work in any 12-month period. To be eligible for said leave:

1. the employee, or a family member of the employee must be a victim of abusive behavior.
2. the employee must be using the leave from work to seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
3. the employee must not be the perpetrator of the abusive behavior against such employee's family member.

The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave, and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement.

Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required. If such imminent danger exists, the employee shall notify the employer within 3 workdays that the leave was taken. The notification may be communicated to the employer by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior. If an unscheduled absence occurs, an employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) below. An employer may require documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave is consistent with clauses (i) to (iii) as above referenced; provided, however, that an employer shall not require an employee to show evidence of an arrest, conviction, or other law enforcement documentation for such abusive behavior. The documentation shall be provided to the employer within a reasonable period after the employer requests it.

An employee shall satisfy this documentation requirement by providing anyone of the following documents to the employer:

1. a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction because of abusive behavior against the employee or employee's family member.
2. a document under the letterhead of the court, provider, or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member.
3. A police report or statement of a victim or witness provided to police documenting the abusive behavior.

4. A documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt; or has been convicted of or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior.
5. A medical documentation of treatment because of the abusive behavior.
6. a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior.
7. a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

1. requested or consented to, in writing, by the employee.
2. ordered to be released by a court of competent jurisdiction.
3. otherwise required by applicable federal or state law.
4. required during an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
5. necessary to protect the safety of the employee or others employed at the workplace.

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the district's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employees signature acknowledging receipt of the handbook/notice. The Superintendent shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that they deem appropriate.

No employer shall coerce, interfere with, restrain, or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, they shall be entitled to restoration to the employee's original job or to an equivalent position. Definitions of 'abuse', 'abusive behavior', 'domestic violence', 'employees' and 'family members' may be found in the laws referenced below.

LEGAL REF.: M.G.L. 149:52E

FAMILY AND 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, procedures setting forth the rights and procedures granted by the Act and shall ensure compliance with those procedures either personally or by delegation, or by some combination of personal oversight and delegation.

LEGAL REFS.: P.L. 103-3

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

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

In connection with campaigning, an employee will not: use school district facilities, equipment, or supplies; discuss their campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Public employees are prohibited under state law from soliciting funds for political campaigns.

Under no circumstances, will students be pressured into campaigning for any staff member.

LEGAL REF.: M.G.L. 55:11-13; 71:44

PERSONNEL RECORDS

Information about staff members is required for the daily administration of the school system, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the 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 own personnel file.
5. 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 written response in the file.
6. Lists of school district employees' names and home addresses will be released only to governmental agencies as required for official reports or by law.

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

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

STAFF COMPLAINTS AND GRIEVANCES

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

It is the Committee's desire that grievance procedures provide for prompt and equitable at the lowest possible administrative level, and that each employee be assured an 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 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 "grievance" as defined in the particular contract.

LEGAL REFS.: M.G.L. 150E:5 and 8

CONTRACT REFS.: All Contract Agreements

PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school system will be created initially by the School Committee. It is the Committee's intent to activate enough positions to accomplish the school system'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, or an existing position is modified, the Superintendent will present for the Committee's approval a job description for the position, which specifies the jobholder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

NOTE: Job descriptions for professional staff positions are available for review in the office of the Superintendent.

PROFESSIONAL STAFF SALARY SCHEDULES

Principals

Salaries will be reviewed annually prior to July 1. The 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 School 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 Hanover Schools under individual contracts of employment. Said contracts shall be submitted to the 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 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 School Committee and the directives of the Superintendent, and annually submit, with the school council, the educational goals and school improvement plan for the school building(s) under his/her direction.

PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

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

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. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the 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 they have licensure and meet 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.

LEGAL REFS.: 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. It is the responsibility of the Superintendent, and of persons to whom they delegate 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 School Committee. 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 licensure requirements and the requirements of the Committee for the type of position in which they will serve.

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

1. There will be no discrimination in the hiring process due to race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions, for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal) is directed to establish a representative screening committee. The School Committees may determine the size and composition of the screening committee. 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 establish a screening committee to assist the Superintendent in making their recommendation to the School Committee.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45
603 CMR 7:00, 26.00, and 44:00
Acts of 2022, Chapter 117 -
<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Substitute Teachers:

Each building Principal will have the authority to employ substitute teachers as may be necessary to take the place of teachers who are temporarily absent. The Superintendent will maintain or cause to be maintained a list of qualified substitute teachers as well as an organized system for proper notification on the need for substitute staff

The school system will employ substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments, and will assign teachers substitute teaching positions based on their areas of competence. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided as much support as possible by building administrators and teachers.

Long Term Substitute Teachers:

Long-term substitute teachers will be compensated at a rate not to exceed the first step of the degree held in the pay scale. Exceptions may be made by the Superintendent.

The School Committee/Superintendent will set the daily rate of pay for substitute teachers.

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.

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

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 their 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.

A teacher who attains professional teacher status will have continuous employment in the service of the school district subject to satisfactory evaluations. A teacher with professional teacher status whose position is abolished by the School Committee may be continued in the employ of the school district in another position for which they are legally qualified.

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 they are not legally qualified.

LEGAL REFS.: M.G.L. 71:38; 71:38G; 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 based on 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 highly qualified 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 licensure and the policies delineated above.

CONTRACT REF.: Teachers' Agreement

EVALUATION OF PROFESSIONAL STAFF

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 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 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 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.

Performance Standards for Teachers and Administrators

1. The School committee shall establish performance standards for teachers upon the recommendation of the Superintendent and in accordance with the process described in M.G.L. c. 71 s.38, including conducting a public hearing and engaging in collective bargaining and, if necessary, binding interest arbitration. All performance standards established for teachers shall be consistent with and meet the Principles of Effective Teaching adopted by the Board of Education.
2. The School committee shall establish performance standards for the evaluation of all administrators upon the recommendation of the Superintendent. Performance standards for those administrators who are subject to collective bargaining shall be developed in accordance with M.G.L. c. 150E. All performance standards established for administrators shall be consistent with and meet the Principles of Effective Administrative Leadership adopted by the Board of Education.
3. The School committee shall establish programs and standards which provide for a rigorous and comprehensive evaluation process for teachers and administrators. The evaluation process may include the extent to which students assigned to teachers and administrators satisfy student academic standards or individual education plans, and the successful implementation of professional development plans, as provided in M.G.L. c. 69 s.1B and c.71, s.38.

LEGAL REFS.: M.G.L. 69:1B; 71:38; 71:38Q; 150E; 152B 603 CMR 35:00

CONTRACT REF.: Teachers' Agreement

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 system, he or she 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 accordance 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

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 School Committee.

A teacher cannot recommend that one of their own students get tutoring, and then be paid to tutor that same student in a second job.

A teacher may not tutor students who are currently in their class. Even if the teacher does not recommend that the current student receive private tutoring, the teacher should not tutor current students.

Teachers and other public employees may not approach a student, or the student's parents/guardians, seeking private tutoring work. A teacher may provide tutoring when the relationship is initiated by the parents/guardians or a student, but, if the student is, or in the future may be, under the teacher's authority, the teacher will need to provide a written disclosure.

A teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public-school employee cannot use a school or district website to advertise private tutoring services. Schools cannot send home brochures for a particular tutoring service with the children.

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/guardians 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 they are to be tutored.

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

LEGAL REF: M. G. L. 268A Mass. Ethics Commission FAQs for Public School Teachers

ADMINISTRATIVE GUIDELINES FOR STAFF WHO PROVIDE PRIVATE TUTORING AND OTHER EDUCATIONAL SERVICES

The Pupil Personnel Services Administrator will maintain a list of staff members and others who are interested in providing private, fee-based educational services to students outside of the regular school day. Any staff member who wishes to be on the list must notify the Pupil Personnel Services Administrator, annually. Staff members are expected to request and obtain a copy of these guidelines at the time of sign up.

In accordance with School Committee policy, staff serving students on a private basis are prohibited from:

1. soliciting clients on school time or by using school resources, materials, or student databases.
2. serving students for whom they have responsibility whom they responsibility as part of their employment with the Hanover Schools, both currently and for one calendar year after such responsibility ceases; and
3. using any materials, equipment, building space or other resources that are the property of the Hanover Schools.

Massachusetts General Laws, c. 268A may in some cases further restrict public employees in providing private, fee-based services. Therefore, the Committee policy encourages staff to become familiar with this statute.

Staff members who serve students on a private basis do not have access to student records unless the parent, guardian or eligible student has provided written consent for such access.

Staff members should refrain from recommending private tutoring or other educational services to students or their parents. If a staff member considers such tutoring or other services to be necessary for the student to make progress, they are expected to refer the student to guidance or administrator staff or to make a referral to the Instructional Support Intervention Process (ISIP). If the student has been determined eligible for services under the Individuals with Disabilities in Education Act, the staff member may also refer the matter to the Team chair.

All employees, whether in private tutoring situations or when providing services as part of their public employment, are cautioned to avoid the situation of being alone or in a one-to-one situation in a secluded or not in current use area, with a student.

SUPPORT STAFF POSITIONS

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

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

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 rates of pay and levels of compensation for support staff personnel, the School Committee will consider the responsibilities of the position, the qualifications needed, experience of the individual, and years of service in the school department.

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 have the full force of School Committee policy.

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

Overtime

Support staff employees will be paid overtime wages for work performed more than 40 hours in a work week.

In counting hours for the purpose of allowing overtime work and pay, supervisors will consider sick leave, vacation time, and holidays as time worked.

Every effort must be made to minimize overtime by scheduling duties during the regular workday. Overtime will be authorized only by the Superintendent and only to cover emergency situations. All such work will be assigned on a fair and equitable basis.

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

CONTRACT REFS.: All Contracts

SUPPORT STAFF VACATIONS AND HOLIDAYS

Holidays

The school calendar, as adopted by the School Committee, establishes holidays and school recess periods for the employees who work on teacher and/or student days.

Employees who work on a 12-month basis will be granted paid holidays on all legal holidays and such other holidays as designated by the School Committee. They will also be expected to report to work during school recess periods unless days during these periods are considered official and designated as paid holidays by the Committee.

To qualify for holiday pay, the employee must be at work on the day before and the day following the holiday, unless their absence is approved based on current leave policies.

Vacations

All 12-month employees will be eligible for paid-vacations in accordance with the following:

1-5 years	-- two weeks' vacation
5-10 years	-- three weeks' vacation
After 10 years	-- four weeks' vacation

Support staff members employed on a 10-month basis will be granted two weeks' paid vacation after completing 10 full years of services in the school district.

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

CONTRACT REFS. All support staff contracts

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 workloads, and establish wage and salary policies that encourage employees to put forth their best efforts.

The evaluation will cover the major areas of the employee's responsibilities and their job descriptions.

Each employee will be informed of the basis upon which they are to be evaluated in advance of evaluation.

CONTRACT REFS.: All support staff agreements