

# SCHOOL-BASED MANAGEMENT SHARED DECISION-MAKING



## School Site Council Manual



## SCHOOL-BASED MANAGEMENT / SHARED DECISION-MAKING

# School Site Council Manual

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# BOSTON PUBLIC SCHOOLS



## JOINT LETTER FROM THE SUPERINTENDENT AND THE BOSTON TEACHERS UNION PRESIDENT

In June of 2006, the Boston Teachers Union and the Boston School Committee entered into a new collective bargaining agreement which featured the implementation of a School-Based Management/Shared Decision-Making (SBM/SDM) model in all Boston Public Schools. This model has continued to be a mainstay and value through each contract that has followed.

The goals are to improve achievement by ensuring that schools have a strong decision-making process with transparency and broad stakeholder engagement. The vehicle for this level of engagement is the School Site Council, which is composed of parents, teachers, building administrators, and two students at the high school level. We believe that the participation and cooperation of all school constituencies are essential for SBM/SDM and School Site Councils to work effectively and improve student achievement.

School Site Councils have extensive responsibility and authority as the decision-making committee for their school. In recognition of the central role it is expected to play, the contract provides that "a School Site Council may waive any provision of this agreement or any School Committee rule or regulation or Superintendent's policy." The power of SBM/SDM School Site Councils far exceeds that envisioned by School Councils established by the Massachusetts Education Reform Act of 1993. For this reason BTU and BPS collaborate to provide ongoing training, support and attention to develop the capacity of the councils.

School Site Councils are integral to the vision of the Boston Public Schools, where "every child in every classroom is entitled to an equitable, world-class, high-quality education." As the district works to eliminate structural and institutional barriers to educational opportunity, school communities play a critical role as they look at how to allocate funding, hire high quality diverse staff, and identify resources to meet the needs of their students and families.

Our School Based Management/School Based Decision Making initiatives have focused on increasing stakeholder engagement to ensure that decisions are made in a way that considers the impact on all students. A continued focus on this work, along with a commitment of all participants, will ensure substantial and sustained school improvement.

We are grateful to those who volunteer time and energy to make the School Site Council a place where children's learning always comes first. We look forward to the energetic participation and sincere support of parents, teachers, building administrators, students, and the greater community as we continue to work together to implement effective, shared decision-making in all Boston Public Schools.

# School Site Council Manual

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## Section

# 1



# SCHOOL SITE COUNCILS IN BOSTON PUBLIC SCHOOLS

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## Section

# 1

This manual is designed to serve parents, teachers, administrators, students, and community representatives who are elected to serve on School Site Councils

### **PURPOSE OF THIS MANUAL**

The purpose of the School Site Council Manual is to provide accurate information and helpful guidance concerning School-Based Management/Shared Decision-Making in the Boston Public Schools. Of general interest to all those committed to school improvement, this Manual is designed to serve parents, teachers, administrators, students, and community representatives who are elected to serve on School Site Councils.

The Manual Appendix also contains documents that are the original sources of the information presented and are included for your reference. All forms needed by schools for School-Based Management may also be found in the Appendix.

### **SCHOOL SITE COUNCILS IN BOSTON PUBLIC SCHOOLS**

In 1989, the Boston Public Schools (BPS) began a bold project to change the way decisions affecting school sites were made. Beginning with a small number of volunteer schools, the School-Based Management/Shared Decision-Making Project was driven by the idea that the school site, not district's central offices, should be the place where decision-making concerning the school occurs. To support this idea, decision-making authority at participating schools was moved from the central offices to individual school sites.

**School-Based  
Management in  
Boston places  
School Site  
Councils at the  
center of school  
improvement**

Interest in School-Based Management steadily spread to other schools in the system. By the 1992-1993 school year, 36 schools had voluntarily adopted School-Based Management. In 1993, the State enacted the Massachusetts Education Reform Act that, in part, mandated that every school in the Commonwealth establish a school council, composed of parents, teachers, and the principal, that serves as an advisory body to the principal. In contrast, School-Based Management in Boston placed School Site Councils at the center of improvement. School-Based Management in Boston invested Councils with actual authority and responsibility for their schools. The School Site Councils are decision-making committees.

By far, the major force in this shift in location of decision-making authority was the shared commitment of the Boston School Committee, the Boston Teachers Union (BTU), and the Superintendent. Since November 1993, the Boston School Committee and the Boston Teachers Union, with the support of the Mayor of Boston, have agreed by contract to support the movement toward School-Based Management. This collaboration has provided a solid foundation for the universal implementation of School-Based Management in the form of School Site Councils in all Boston Public Schools.

The Collective Bargaining Agreement of 1994-1997 provided the school district with a powerful set of tools to help schools develop a plan for whole school change. During that period, School-Based Management was implemented in all schools, and School Site Councils learned to use the authority that the Collective Bargaining Agreement gave them to make key school decisions.

With the current Collective Bargaining Agreement, the Boston Teachers Union, the Superintendent, and the School Committee continue to recognize that to achieve effective shared decision-making at the school level a significant restructuring of schools must occur, and the parties agreed to work cooperatively in an effort to bring about these necessary changes. Significant changes in school governance, instructional practices, staff roles, and community involvement will require a substantial commitment from the leadership of the Boston Teachers Union, the Boston School Committee, and the Superintendent of Schools.



## Section

# 2



## THE BASICS: SCHOOL SITE COUNCILS

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## Section

# 2

### THE BASICS: SCHOOL SITE COUNCILS

**T**he Boston School Committee, Boston Teachers Union, and the Superintendent have agreed that the school site is the appropriate place for most decision-making affecting the education of children in that school. School sites should have as much flexibility as possible in managing their budgets and organizing their educational programs for maximum educational effectiveness. The best quality of decisions at the local level is likely to result from the process of shared decision-making through the School Site Councils (SSC).

**The purpose of shared decision-making is to create a collaborative climate in schools**

The purpose of shared decision-making is to create a collaborative climate in the schools where the faculty, parent/family, administration, students (at the high school level), and other community participants work together share the responsibility and accountability for school improvement, better student performance, increased satisfaction among professional educators, greater involvement by and with parents, and stronger support from the community at large. The overriding goal of school-based management and shared decision-making is to engage stakeholders through the SSC in the improvement of school quality, and the instruction and learning of students.

## **Scope of School Site Council Authority**

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School Site Councils must comply with all applicable federal and state laws, regulations, and court orders that relate to the operation of public schools, unless the school sought and received proper waiver from the appropriate authorities. The actions of Councils must also be consistent with the standard of sound educational policy equitably applied to all students. In keeping with his/her responsibilities by law, the Superintendent, in consultation with the Joint Steering Committee, determines what constitutes unsound educational policy or policy which is not fairly applied to all students.

### **Discretionary Powers of School Site Councils**

To the greatest extent possible decisions affecting the educational process at an individual school shall be made at the school level. Where a decision cannot be made at that level, schools can communicate their views and concerns related to that decision to the relevant decision-maker. School Site Councils shall have primary authority to make decisions affecting those matters listed in the section titled "Role of the School Site Council".

## **Role of the School Site Council**

The role of School Site Council is to serve as the central governing body of the school under the shared decision-making model. Specifically, the role of the Council shall be:

- To review and approve the Quality School Plan within guidelines established by the Superintendent;
- To approve the budget for discretionary school materials, supplies, textbooks and equipment, including the use of school improvement award funds;
- To develop and approve plans for increasing parent involvement in the school;
- To approve waivers;
- To review and approve recommendations of the Instructional Leadership Team (ILT) that will have a major effect on the school community. Such recommendations need not be forwarded to the Council unless they are endorsed by the Principal/Head of School;

- To review and approve recommendations from any other committee or group that is established to recommend changes that will have a major effect on the school community;
- To receive information about all outside programs or professionals who come into the school;
- To review and comment on the entire school budget, including the General Fund and External Funds budgets, in a timely fashion. Upon written request, school site council members shall be provided with written or electronic copies of school budgets.

The School Site Council is responsible for finding ways to implement the intent of Shared Decision-Making in ways that do not violate outstanding court orders or state and federal laws and regulations.

**SSC Role in School  
Staffing**

The Personnel Subcommittee of the School Site Council has the authority to make staffing decisions for the Council, consistent with the Collective Bargaining Agreement between the BPS and the BTU. The role of the Personnel Subcommittee is described in the section titled "Role of the Personnel Subcommittee".

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### **Composition of School Site Councils**

The success of shared decision-making depends on having a broad representation of the school community on the SSC. This ensures that the diverse perspectives, ideas and needs of the community contribute to the development of policy and direction for the school as well as the buy-in necessary to successfully implement the school's plan. The BTU/BPS collective bargaining agreement details the composition and size of the SSC as follows:

**School Site  
Council  
Membership**

The School Site Council is composed of:

- Principal/Head of School;
- Members of the BTU bargaining unit who work more than 50% of their time at the school elected by secret ballot by bargaining unit members similarly qualified, including teachers, paraprofessionals, nurses, guidance counselors, itinerant specialist, ETF's, and other members;

- Parents elected by parents of children attending that school;
- In high schools, two students elected by the student body;
- Each school shall also elect each year alternate parent and teacher members of the SSC to substitute for absent members of their group.
- Alternate members who are elected by BTU bargaining unit members or parents to substitute for absent members and who may also fill vacancies created by the resignation or removal of Council members.
- Associate members who are non-voting and who might include additional high school students, representatives from the business or university community, or representatives of other employee groups in the school.

**Size of the School  
Site Council**

In general, the size of the Council is mainly determined by the number of the staff in the BTU bargaining unit - the larger the staff, the larger the Council. The size of the Council can also increase in order to meet the diversity goals described below. The Principal/ Head of School automatically serves as a member of the Council. Based on the school's staff as of October 1, parents and BTU bargaining group members elect their Council representatives according to the following guidelines:

**BTU  
Bargaining  
Unit**

- Schools with 30 or fewer bargaining unit members = 4 Council representatives;
- Schools with 31 but not more than 60 bargaining unit members = 5 Council representatives;
- Schools with 61 or more bargaining unit members = 6 Council representatives.

**Parents**

The number of parents elected to the Council must equal the number of BTU bargaining unit representatives plus the Principal/ Head of School.

- Schools with 30 or fewer bargaining unit members = 5 parent representatives;
- Schools with 31 but not more than 60 bargaining unit members = 6 parent representatives;
- Schools with 61 or more bargaining unit members = 7 parent representatives.

**Students**

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In high schools = 2 Student Council representative

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### **Managing Diversity on the School Site Council**

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To get the best outcomes for students, the School Site Council needs to reflect the diversity of the school community. To that end, the BSC/BTU Collective Bargaining Agreement expects SSC membership to reflect a balance of racial and ethnic backgrounds that mirrors the make-up of the school community including: teachers, parents, students and administrators.

**School Site Councils will be less effective if any constituency groups are left out of the process.**

Each of the groups represented on the Council (BTU bargaining unit, parents, and students) should make every effort possible to elect individuals who are representative of the racial and ethnic diversity of their constituents. School Site Councils will be less effective if any constituency groups are left out of the process. To get the most out of a diverse group working together SSC members need to understand one another's perspectives, areas of expertise, needs, and constraints. The racial ethnic groups referred to in the BTU Bargaining Agreement are African American/Black, Asian American/Pacific Islander, Hispanic, Native American, and White.

### **Diversity among BTU Bargaining Unit Members**

Any racial group that constitutes at least 5% of the BTU membership at the school and that has candidates who run for a seat on the Council shall have the candidate with the highest number of votes seated on the Council. If the highest vote-getting candidate from any racial/ethnic group is not among the highest overall vote-getting candidates, the number of seats on the Council shall be as follows: the highest vote-getting candidate from each eligible racial/ethnic group and all of the highest vote-getting candidates shall be seated.

## **Changing the Composition of Councils**

After one year of operation, a Council may change its composition with the consent of the majority of the representatives of each of the represented groups on the Council. No represented group, however, can agree to the elimination of its representation.

## **Terms of School Site Council Members**

Each SSC must include in their Bylaws clearly defined terms for all members. At least one of the BTU bargaining unit members and one of the parents of the Council should change each year to ensure that a growing segment of the school community develops a deeper understanding of the shared decision-making process.

## **ROLES OF THE PERSONNEL SUBCOMMITTEE AND INSTRUCTIONAL LEADERSHIP TEAM**

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### **Role of the Personnel Subcommittee of the School Site Council**

The Personnel Subcommittee of the School Site Council interviews and decides on the selection of permanent teachers who voluntarily apply for transfer into the school. Decisions on the voluntary in-transfer of teachers may be made without regards to teacher seniority.

Decisions of the Personnel Subcommittee are not subject to the approval of the Council. The Subcommittee consists of the Principal/ Head of School, two teachers, one parent and one student in high schools. Specifically, the role of Subcommittee shall be:

- To approve the hiring of new BTU teacher's bargaining unit staff and in-transfer of BTU teachers' bargaining unit staff from other schools in the system;
- To approve the selection of New Teacher Developers, and new athletic coaches;
- To determine the schedule and procedures for reviewing candidates for positions.

## **Compliance of Staffing Decisions**

In conducting its work, the Personnel Subcommittee must operate within the requirements of laws, regulations, and court orders. A staffing decision that places the school in non-compliance will not be honored. When possible, the Office of Human Capital will notice schools of potential non-compliance at the time that transfer circulars are issued and prior to a school's selection of a candidate for a vacancy.

## **Selection of Personnel Committee Representatives**

BTU members on the School Site Council shall select the BTU representatives to serve on any screening committee convened to make recommendations for permanent appointment to administrative positions.

## **Role of the Instructional Leadership Team (ILT)**

**The Instructional Leadership Team is an advisory body to the Principal/Head of School on issues related to teaching, learning, assessment, and professional development.**

The Instructional Leadership Team is an advisory body to the Principal/Head of School on issues related to teaching, learning, assessment, and professional development. The collective bargaining agreement specifically provides:

- An Instructional Leadership Team shall be established at each school and shall be a representative body of the professional staff at the school. It shall be composed of administrators and teachers from various grade levels, disciplines, and programs of the school.
- The Team shall serve as an advisory body to the Principal/Head of School on issues related to teaching, learning, assessment, and professional development.
- It shall be the responsibility of the Principal/Head of School to give a report each month to the School Site Council on the activities of the Instructional Leadership Team.

Any recommendation of the ILT that alters the Quality School Plan or may have a major effect on the school community and which is supported by the Principal/Head of School shall be subject to the approval of the School Site Council before being implemented.



## **Operations of the School Site Council**

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Members of the School Site Council are expected to operate as a single decision-making team, not as a group of spokespersons representing constituent groups. Their role is to work together to find good solutions to the educational problems confronting the school. Members are chosen from various groups to ensure that decisions reflect the expertise and input of important affected groups.

### **School Site Council Bylaws**

**Every Council is required to pass bylaws to govern its operation.**

The School Site Council determines most of its own operating procedures through the adoption of Council bylaws. Every Council is required to pass bylaws to govern its operation. Copies of the Bylaws should be distributed to all Council members at the first meeting of each newly elected Council and submitted to the Office of Family and Community Advancement. For Bylaw sample see Appendix B.

### **Approval and Amendment of Council Bylaws**

The Council bylaws must be approved by two-thirds of BTU bargaining unit members in the school and by two-thirds of the parents who come to a parent meeting. There must be at least two weeks' notice of the parent meeting at which the bylaws are presented for approval.

### **Requirements for Council Bylaws**

The bylaws must, at least, detail the process for the following operational questions:

- How will elections be organized and conducted?
- When will meetings be held?
- What are the notice procedures for announcing meetings?
- Who is responsible for Co-chairing the Council with the Principal/Head of School and for recording minutes?
- What is the process for decision-making?
- What is the system for selecting alternates who have the same racial identity as the members they would be representing?

- What are the terms of office and how will they be staggered?
- What is the policy in regards to members who fail to attend regularly?

### **Voting by Council Members**

Given the collaborative nature of the shared decision-making, it is expected that School Site Councils will make every effort to function by consensus or general agreement of the members.

The formal decisions of the School Site Council shall be made by a majority vote of members and with the Principal/Head of School voting with the majority. The Principal/Head of School may not delegate his or her vote except in emergency situations. In the event that a school has no sitting or acting Principal/Head of School, the appropriate School Superintendent or his/her designee shall be substituted.

### **Principal/Head of School Veto**

The Principal/Head of School is required to account in writing and in person (at a subsequent meeting) for any vote in contravention of a majority of the Council.

### **Voting by Alternate Members**

Alternate members of the Council may represent SSC members in their absence. However, they shall become voting members of the Council at meetings only where their presence is necessary to have a quorum.

### **Election of Council Members**

Elections for new School Site Council members shall be conducted as early in the school year as possible. Elections for council representatives must be completed by October 15 . The first meeting of the new council shall be held no later than October 31.

### **Roster of Council Members**

The Principal/Head of School should submit the complete roster of the new Council to the Office of Family and Community Advancement no later than October 31. Upon formation or change in membership, School Site Council shall report the names of its members to the Office of Family and Community Advancement.

### **High School Student Members of the School Site Council**

At the high school level, two student representatives must be elected by the student body. The student members represent the student voice. A student alternate may be elected. Additionally, schools may choose to have multiple student representatives to ensure student input. However, there are only two student votes. (See FAM-3 Student Government Circular)

The Principal/  
Head of School  
must submit the  
complete SSC  
roster to OSFCA  
by no later than  
October 31

### **Conduct of Council Meetings**

The first meeting of the new School Site Council shall be held no later than October 31. The “outgoing” Council shall continue to meet and conduct business until such time as the “new” Council holds its first meeting of the school year.

### **Council Co-chairpersons**

School Site Councils shall have Co-Chairpersons. The Co-chairpersons shall be the Principal/Head of School and one other voting member elected by the Council.

### **Calendar of Council Meetings**

At the first meeting of the new Council, members shall establish a calendar of meetings for the school year. The calendar of meetings must be distributed to all staff and parents. Any change to that calendar must be approved by the Council with at least one week’s notice to all staff and parents. The Calendar of Council Meetings must be submitted to the Office of Family and Community Advancement along with the roster.

The calendar of SSC meetings should be distributed to all staff and parents.

### **Quorum Requirements for Council Meetings**

A quorum must be present to conduct School Site Council business. SSC Bylaws must detail how an SSC defines a quorum. The BSC/BTU Collective Bargaining Agreement sets requirements for a quorum. It states; to constitute a quorum of members at a Council meeting, the Principal/Head of School must be present as well as:

- At least two teachers and two parents for Councils with 9 to 12 voting members;
- At least three teachers and three parents for Councils with 13 or more voting members.

### **Massachusetts Open Meeting Law**

School Site Councils are considered 'public bodies' and as such must comply with M.G.L. c. 30A39, §§ 18-2523A-24, the MA Open Meeting Law. The purpose of the Open Meeting Law is to eliminate much of the secrecy surrounding the deliberations and decisions on which public policy is based. The means, by which secrecy is eliminated, is by requiring most meetings of governmental bodies to be held in public. The requirements of the Open Meeting Law grow out of the idea that the democratic process depends on the public having knowledge about the considerations underlying governmental action, for without that knowledge, people are not able to judge the merits of actions taken by their representatives. See Appendix C for details.

School Site Councils must observe the Massachusetts Open Meeting Law. Under this provision, Councils are required to:

- Open all meetings to the public and permit any person to attend any meeting;
- Allow anyone in attendance to tape the meeting;
- Post a notice of each meeting at a public place at least 48 hours prior to the meeting;
- Keep accurate minutes indicating the date, time, place, members present and absent, and action taken; and
- Adhere to a quorum, as defined above.

While the Open Meeting Law does permit closed executive sessions for the purpose of deliberating specific issues, these issues concern matters that are not either under the control of Councils or appropriate for Council meetings. For this reason, the Council will never have reason to go into executive session.

### **Conflict of Interest Law**

According to the State Ethics Commission, School Site Councils are considered municipal agencies and their members, although they serve without compensation, are considered municipal employees for purposes of the conflict of interest law. See Appendix C for details.

This provision is especially relevant to parents and associate members of Councils who serve on other municipal agencies, boards, and committees within Boston or who do business with city agencies, e.g., a Council member who is a contractor bidding to do repairs on the school building. This is a conflict of interest.

### **SSC Meeting Logistics**

Well-planned, well attended, SSC meetings are at the heart of successful School-Based Management. Regular meetings of the School Site Council should be held at times that are convenient for all members, especially parents and professional staff.

A sensible schedule of Council meetings at times convenient to all members is necessary for effective School-Based Management.

### **Agenda for Council Meetings**

School Site Council members set the agenda for their meetings. Agenda items may be submitted by any Council member or Associate member, so long as they are within the scope of authority of the Council. (See Sample Agenda in Appendix B)

### **Minutes of Council Meetings**

Minutes of all Council meetings should be carefully recorded. It is recommended that a member be designated Secretary of the Council. The Co-chairs must make the minutes available for public review in the school office. A notice of all actions taken by the School

A sensible schedule of Council meetings at times convenient to all members is necessary for effective School-Based Management.

Site Council will be distributed to all BTU Building Representatives and the President of the Faculty Senate within five school days following a Council meeting. Copies of the minutes shall also be submitted to the Office of Family and Community Advancement within five school days.

Pursuant to the Open Meeting Law, minutes of meetings must include the date, time, place, members present and absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and action taken at each meeting, including the records of all votes. Minutes shall also be created and approved in a timely manner. These minutes, whether approved or in draft form, shall be made available upon request by any person within 10 days.

### **Information for School Site Council**

All available information concerning the school budget and/or other matters over which the School Site Council has authority must be shared with members of the Council at least five school days before they are expected to vote on the issue.

## **OVERSIGHT AND MONITORING OF SCHOOL-BASED MANAGEMENT/SHARED DECISION-MAKING**

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The Joint Steering Committee of the Boston Public Schools and the Boston Teachers Union is responsible for oversight and monitoring of School-Based Management and School Site Councils. The Joint Steering Committee is composed of the Superintendent of Schools and the President of the BTU, who serve as co-chairs; five members from BPS appointed by the Superintendent and five members from the BTU appointed by the President of the BTU, who represent the diverse racial and ethnic constituencies of the parties; five parents appointed by Citywide Parent Council (CPC); and two student representatives appointed by Boston Student Advisory Council (BSAC). The Office of Family and Community Advancement is the BPS department responsible for monitoring SSC parent elections, soliciting and retaining SSC rosters of elected members, meeting dates, and minutes.

The Office of Family and Community Advancement is the BPS department responsible for monitoring SSC elections, recording SSC meeting dates and minutes, and in conjunction with BTU, training SSC members.

### **SBM/SDM Subcommittee**

The SBM/SDM Subcommittee of the Joint Steering Committee is charged with reviewing and responding to complaints arising from schools about the operations of School Site Councils. The Subcommittee consists of two members of the Joint Steering Committee appointed by the BTU President, two members appointed by the Superintendent, two parent members appointed by Citywide Parent Council and two student members appointed by Boston Student Advisory Council.

### **Complaints About School Site Councils**

Any member of the School Site Council may file a complaint with the Joint Steering Committee concerning the operations of the Council in his or her school. Complaints should involve serious breaches of the guidelines for implementing SDM, and good faith effort should have been made at the school level to resolve the problem prior to filing the complaint.

### **Intervention in Council Operations**

The Joint Steering Committee may recommend actions to deal with Councils that do not operate in compliance with the terms of the Collective Bargaining Agreement between the BPS and the BTU or where Councils are frequently unable to reach decisions by consensus or where the Principal/ Head of School repeatedly exercises a veto over the votes of a majority of the Council.

### **Complaint Processing**

The Joint Steering Committee will forward complaints to the SDM Subcommittee, which shall acknowledge the complaint within five days and place the matter on the agenda for the next Joint Steering Committee meeting. A recommendation on any complaint must be submitted by the Subcommittee to the Joint Steering Committee no later than the second meeting following the receipt of the complaint.

## Recommendations on Complaints

A recommendation on any complaint must be submitted by the Subcommittee to the Joint Steering Committee no later than the second meeting following the receipt of the complaint

Recommendations on complaints must be voted on by the full Joint Steering Committee. Recommendations can include:

- Providing the services of a mediator/facilitator;
- Calling for new Council elections for some or all members of the Council;
- Urging the Superintendent to send a letter of reprimand;
- Calling for the replacement of a building administrator.

## Waivers

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School Site Council may waive any provisions of the collective bargaining agreement or any School Committee rule or regulation or Superintendent's policy, provided the Council meets the waiver requirements listed below.

### Waiver Process

The School Site Council may adopt a waiver provided that:

- The Principal/Head of School approves the waiver;
- The school parent council approves the waiver (in the case of School Committee rules or regulations or Superintendent's policies);
- At least 66 2/3% of the members of the bargaining unit who work more than 50% of their work week at that school and who are present and voting approve the waiver; such vote shall be conducted by the Union representative using a secret ballot after a five-day notice to all those eligible to vote;
- No waiver vote may alter any bargaining unit member's salary and benefits, seniority rights involving transfer, excessing, or layoff procedures, due process rights, or right to file a grievance, nor the Union's jurisdiction;
- No waiver vote may affect the operation of another school or incur costs to the School Department beyond the school's allocated budget without the approval of the School Department;



The Joint Steering Committee shall be notified in writing of all waivers within five (5) days of their adoption. Within five days of the adoption of each waiver and prior to implementation of the waiver, the completed Waiver Reporting Form (see attachment in Appendix D) must be forwarded to the Joint Steering Committee for its information, c/o the OSFCA.

### **What Can Be Waived**

School Site Councils may adopt waivers in a broad array of areas. In particular, a Council may waive provisions of the collective bargaining agreement and School Committee or Superintendent's policies and regulations that involve:

- Timing and length of the school day and year (for example, a school might propose to meet from 3:00 pm until 10:00 pm);
- Amount of time a teacher spends teaching each week;
- Class size (some classes involving less intensive supervision might exceed the class size maxima to permit more intensive staff involvement with students in other areas);
- Number, time, and place of teacher - parent meetings;
- Number, use, and scheduling of in-service, planning, professional development, and other staff meetings;
- Number, use, and scheduling of planning and development and administrative periods;
- Non-teaching duties teachers are required to perform;
- Curriculum;
- Timing of report cards;
- Testing;
- Record-keeping and paperwork requirements;
- Attendance policies;
- Graduation requirements;
- Student discipline codes;
- Any other provision policy, or regulation whose waiver is approved by the Joint Steering Committee

### **Effective Date for Waivers**

Ordinarily, waivers of items become effective upon adoption by the School Site Council and within five days of notification to the Joint Steering Committee. (See SBM/SDM Waiver Process in Appendix: D). However, a waiver may not be immediately implemented if a teacher at a school waiving a provision of the Collective Bargaining Agreement objects to the impact of that waiver on his/her responsibilities. In this case, he or she shall be afforded an opportunity to transfer to another position in the system without loss of seniority or benefits. The implementation of any such waiver shall be delayed until such transfer opportunity has been provided or the impact of the waiver on this teacher has been eliminated. Finally, the objecting teacher must be given the opportunity to transfer to another position in the system without loss of seniority or benefits, which delays implementation one school year.

Any dispute arising out of this paragraph shall be referred to the Steering Committee for resolution and shall not be arbitrable, provided that the steering Committee reaches a decision in the matter within 30 days.

### **Waivers of Other Items**

School Site Council may seek to waive a provision of the collective bargaining agreement, School Committee rule or regulation, or a Superintendent's policy, which is an area, not listed above. In such cases, the waiver must be approved by the Joint Steering Committee prior to implementing the waived item. A completed Waiver Approval Form (Appendix D) must be forwarded to the Joint Steering Committee.

### **Explanation of Waivers**

In seeking the approval of a waiver, as in reporting waivers, the School Site Council needs to explain concretely its proposed alternative approach and the educational needs prompting the desired change. In the case of a policy waiver, how that approach will meet the educational interests underlying the present policy must also be explained.

### **Items That Cannot Be Waived:**

No waiver vote may alter any BTU bargaining member's salary and benefits, seniority rights involving transfer, excessing, or layoff procedures, due process rights, or right to file a grievance, nor the Union's jurisdiction.

No waiver vote may affect the operation of another school or incur costs to the School Department beyond the school's allocated budget without the approval of the School Department.

In managing a shared decision-making school, the School Site Council may not waive federal and state laws, regulations, and court orders, unless the school system has sought and received a proper waiver or approval from appropriate authorities. For example, School Site Councils may not waive the due process provisions of the Code of Discipline (U.S. Constitution), Limited English Proficiency (formerly bilingual education) and special education program requirements (state and federal law and regulations). School Site Councils are urged to seek the assistance of the School Department and the Boston Teachers Union through the Joint Steering Committee in pursuing approvals or waivers of state or federal policies or regulations or statutory changes.

**No waiver vote may affect the operation of another school or incur costs to the School Department beyond the school's allocated budget without the approval of the School Department**

### **Orientation and Training of SSC members**

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The Office of Family and Community Advancement in conjunction with the Boston Teachers Union is responsible for the orientation and training of School Site Council members. Office of Family and Community Advancement staff and BTU representatives will coordinate training of School Site Councils and offer technical assistance from Office of Family and Community Advancement staff and the BTU to insure the effectiveness of School Site Councils.

To succeed in developing effective and collaborative working relationships, a core group of principals, parents, teachers and other staff in each school must receive training to acquire the roles and relationships envisioned by the Collective Bargaining Agreement. Skills are needed in consensus building, teamwork, meeting skills, active listening, exploring new models of teaching and learning and so on.

## **Orientation**

The orientation, offered by the Office of Family and Community Advancement and the BTU, focuses on the fundamentals of Council operations and initial training in School-Based Management/Shared Decision-Making; team-building, group decision-making, effective planning, and successful communications.

The Office of Family and Community Advancement staff can help Councils with communications, shared decision-making, conflict resolution and bylaw development.

## **Facilitation and Technical Assistance**

The OSFCA provides staff to assist School Site Councils with matters unique to their Councils. OSFCA staff can help Councils with conflict resolution, communications, bylaw development, and shared decision-making. In addition, OSFCA provides training to certify School Council Election Facilitators to conduct elections for SPC and SSC parent representatives.

## **Additional Information**

The Office of Family and Community Advancement is available to provide further guidance and assistance. School Site Council members may also contact BTU Field Representative Caren Carew at 617-288-2000.

Office of Family and Community Advancement  
Title I Training Center  
445 Warren Street  
Dorchester, MA 02121  
617-635-7750 (phone)

## Section 3



# **BSC/BTU COLLECTIVE BARGAINING AGREEMENT**

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## Section

# 3

### **BSC/BTU Collective Bargaining Agreement: SBM/SDM Contract Language**

The establishment and oversight of the School Site Councils is detailed in the Collective Bargaining Agreement between the Boston Teachers Union and the Boston School Committee (the teachers' union contract). The following passages contain the language directly from the current bargaining agreement which expires in 2021.

#### **Article III**

#### **School-Based Management and Shared Decision-Making**

##### **A. Governing Philosophy**

The Committee, the Union, and the Superintendent agree that the school site is the appropriate place for most decision-making affecting the education of children in that school. The parties also agree that the best quality decisions at the local level are likely to result from the process of shared decision-making.

The purpose of shared decision-making is to create a climate in the schools where the faculty, parents, administration, students (at the high school level), and other community participants working together share the responsibility and accountability for school improvement, better student performance, increased satisfaction among professional educators, greater involvement by and with parents, and stronger support from the community.

The parties recognize that the overriding goal of school-based management and shared decision-making is to improve the quality of our public schools and the instruction and learning of our students.

The parties agree that Principals and Head of Schools are the educational leaders at the school site. The building administrator is a key person in creating the environment necessary to bring about positive change. The Principal or Head of School shares with teachers and parents (and students at the high school level) through their representatives on the School Site Council the responsibility to create an environment where learning and teaching are enhanced.

The parties recognize that the most important interactions affecting student performance take place daily between teachers and students. Teachers, therefore, must be given a shared voice in decisions at the school site. The parties recognize that with this increased role in the decision-making process the teachers at the school site assume more responsibility and accountability for the success of the school.

The parties recognize that parental involvement is essential in achieving educational success for students. Therefore, parents shall also be given a voice in decisions at the school site.

The parties realize that to achieve effective shared decision-making at the school level a significant restructuring of schools must occur, and the parties agree to work cooperatively in an effort to bring about these necessary changes. Significant changes in school governance, instructional practices, staff roles, and community involvement will require a substantial commitment from the leadership of the Union, the School Committee, and the Superintendent of Schools. The parties pledge to provide this commitment.

## **B. School Site Councils**

### **1. Composition**

#### **(a) Represented Groups**

Each Boston public school shall elect School Site Council for the purposes enumerated in this Article. Members of School Site Council should be elected by October 15 of each year to serve until a successor Council is elected.

The School Site Council shall be composed of the Principal/Head of School, members of the bargaining unit who work more than 50% of their work week at that school elected using a secret ballot from the pool of bargaining unit members similarly qualified, parents elected by

the parents of children at that school, and, in high schools, one student elected by the student body.

Each school shall also elect each year alternate parent and teacher members of the School Site Council to substitute for absent members of their group. Alternate members may also be used to fill vacancies created by the resignation or removal of a Council member.

School Site Councils may also have associate, non-voting members, for example additional high school students, representatives from the business or higher education community, or representatives of other employee groups in the school.

Upon formation or change in membership, School Site Council shall report the names of its members to the School Department.

**(b) Bargaining Unit Members**

(1) *In General.* The number of members of the bargaining unit to be elected to a School Site Council shall be determined as follows, using enrollment figures as of October 1 of the year of the election:

Schools with less than 30 bargaining unit members: 4, Schools with at least 31 bargaining unit members but not more than 60 bargaining unit members: 5, Schools with 61 or more bargaining unit members: 6.

(2) *Goal of Diversity.* The Union and the Committee believe that School Site Councils will be less effective if any constituency groups are left out of the process. Therefore each represented group should endeavor to elect individuals who are representative of the racial and ethnic diversity of their constituents, and the Steering Committee will strongly encourage this.

(3) *Definition.* Racial groups referred to in this section include: African American/Black, Asian American/Pacific Islander, Hispanic, Native American, and White.

(4) *Election Procedures.* Any racial group that constitutes at least 5% of the BTU membership at a school site and which has candidates who run for a seat on the School Site Council shall have the candidate with the highest number of votes seated on the Council. All other seats shall be filled by candidates who received the highest number of votes.



If the highest vote-getting candidate from any racial group is not among the highest overall vote-getting candidates, the number of seats of the School Site Council shall be as follows: the highest vote-getting candidate from each eligible racial group and all of the highest overall vote-getting candidates shall be seated.

**(c) Parent Members**

The number of parents elected to the School Site Council shall equal the number of professional educators, including the principal, on the Council.

**(d) Change in Composition**

After at least one year of operation as a shared decision-making school, School Site Council may change its composition with the consent of a majority of the representatives of each represented group, except that no represented group can agree to the elimination of its representation.

**(e) Rotation of Membership**

At least one of the bargaining unit members and one of the parents on the School Site Council should change each year to ensure that a growing segment of the school community develops a deeper understanding of the shared decision-making process.

**2. Role of the School Site Council, the Personnel Subcommittee and the Instructional Leadership Team**

The parties agree that 1) the School Site Council shall remain the central governing body of the school under the school-based management/ shared decision-making model; 2) the Instructional Leadership Team is an advisory body to the principal/Head of School on issues related to teaching, learning, assessment, and professional development; and 3) the decisions of the Personnel Subcommittee are not subject to the approval of the School Site Council.

**(a) The Role of the School Site Council shall be:**

- To review and approve the Quality School Improvement Plan within guidelines established by the Superintendent
- To approve the budget for discretionary school materials, supplies, textbooks and equipment, including the use of school improvement award funds

- To develop and approve plans for increasing parent involvement in the school
- To approve waivers
- To review and approve recommendations of the Instructional Leadership Team that will have a major effect on the school community. Such recommendations need not be forwarded to the School Site Council unless they are endorsed by the principal/Head of School
- To review and approve recommendations from any other committee or group that is established to recommend changes that will have a major effect on the school community
- To receive information about all outside programs or outside professionals that come into the school
- To review and comment on the entire school budget, including the General Fund and External Funds budgets, in a timely fashion. Upon written request, school site council members shall be provided with written or electronic copies of school budgets.

(b) The Role of the Personnel Subcommittee of the School Site Council shall be:

- To approve the hiring of new BTU teachers' bargaining unit staff and in-transfer of BTU teachers' bargaining unit staff from other schools in the system and the choice of teachers from the excess pools
- To approve the selection of Lead Teachers, Mentor Teachers, and new athletic coaches
- To determine the schedule and procedures for reviewing candidates for positions

(c) The Role of the Instructional Leadership Team:

- Each Principal/Head of School will create a description of the process for composing the ILT, communicate the process to staff, and take the process to the SSC for input. Where ILT members are compensated, the process shall include a job description.
- An Instructional Leadership Team shall be established at each school and shall be a representative body of the professional staff at the school. It shall be composed of administrators and teachers from the various grade levels, disciplines, and programs of the school
- The Team shall serve as an advisory board to the principal/Head of School on issues related to teaching, learning, assessment

and professional development.

- It shall be the responsibility of the principal/ Head of School to give a report each month to the School Site Council on the activities of the Instructional Leadership Team
- Any recommendation of the ILT that alters the Whole School Improvement Plan or may have a major effect on the school community and which is supported by the principal/Head of School shall be subject to the approval of the School Site Council before being implemented

School Site Council is responsible for finding ways to implement the intent of the provisions governing school-based management in ways that do not violate outstanding court orders or state and federal laws and regulations.

## **C. Shared Decision-Making**

### **1. Orientation Program**

The Steering Committee will be responsible for maintaining an orientation program on school-based management and shared decision-making for presentation to all new employees of the School Department, interested parents, and high school students.

### **2. Operation of the School Site Council**

#### **(a) General Policy**

The parties expect the members of School Site Council to operate as a single decision-making team, not as a group of spokespersons representing constituent groups. Their role is to work together to find good solutions to educational problems confronting the school. Members are chosen from various groups to insure that decisions reflect the expertise and input of important affected groups.

#### **(b) Voting**

Formally, decisions of School Site Council will be by majority vote with the Principal/Head of School voting with the majority. The Principal/Head of School may not delegate his or her vote except in emergency situations. The Principal/Head of School is required to account in writing and in person (at a subsequent meeting) for any vote in contravention of a majority of the Council. In the event

that a school has no sitting or acting Principal/Head of School, the appropriate School Superintendent or his or her designee shall be substituted.

(c) Monitoring of School Site Council Operation

The Steering Committee may request that School Site Councils provide information on the dates of School Site Council meetings and who attended. The Steering Committee will monitor the operation of School Site Councils and may recommend action to deal with Councils that do not operate in compliance with the terms of this collective bargaining agreement or where Councils are frequently unable to reach decisions by consensus, or where the principal/ Head of School repeatedly exercises a veto over the votes of a majority of council members.

To accomplish this monitoring role, the Steering Committee will establish a subcommittee for the purpose of reviewing and responding to complaints arising from schools that SBM/SDM is not being implemented in accordance with the terms of the collective bargaining agreement. The subcommittee will consist of two members of the Steering Committee appointed by the BTU President and two members of the Steering Committee appointed by the Superintendent.

Any member of School Site Council may file a complaint with the Steering Committee concerning the operation SBM/SDM at his/her school. All such complaints will be forwarded to the subcommittee that shall acknowledge receipt of the complaint within five days and place the matter on the agenda of the next Steering Committee meeting. A recommendation by the Subcommittee on any complaint must be reported to the Steering Committee no later than the second Steering Committee meeting following receipt of the complaint.

It is expected that complaints submitted to this Subcommittee should involve serious breaches of the established guidelines for the implementation of SBM/SDM and that there has been a good faith effort at the school level to resolve these problems prior to filing the complaint.

Recommendations from the Subcommittee must be voted on by the full Steering Committee and such recommendations may include,

but are not limited to, providing the services of a mediator/facilitator, calling for new Council elections for all or a portion of the School Site Council members, urging the Superintendent to send a letter of reprimand, if appropriate, or calling for the replacement of a building administrator.

(d) Elections and Meetings

1. Elections for new School Site Council members shall be conducted as early in the school year as possible, and a first meeting of the new council shall be held no later than October 31.
2. At this first meeting a calendar of the meetings for the school year shall be established and any change to that calendar must be approved by the Site Council with at least one week's notice to all staff and parents.
3. The "out-going" School Site Council shall continue to meet and conduct the business of the Council until such time as the "new" Council holds its first meeting of the school year.

(e) Voting by Alternate Members

Alternate members of School Site Council shall be voting members of the Council at meetings where their presence is necessary to have a quorum.

(f) Quorum Requirements

To constitute a quorum of members at a School Site Council meeting, the principal/Head of School must be present as well as at least two teachers and two parents for site councils with 9 to 12 members, or three parents and three teachers for site councils with 13 or more members.

(g) Bylaws

Each Council shall be required to pass bylaws to govern its School Site Council. The bylaws must be approved or amended by two-thirds of the members of the bargaining unit in the school eligible to vote for the School Site Council and by two-thirds of the parents who come to a parent meeting. There must be at least two weeks' notice

for the parent meeting. The bylaws may be approved the same night that elections are held. Copies of the bylaws will be distributed to all members at the first meeting of each newly elected council.

The Bylaws must at least include provisions that address the following matters:

- How will elections be held?
- When will meetings be held?
- What are the notice procedures for announcing meetings?
- Who is responsible for co-chairing the Council and for recording minutes?
- What is the system for selecting alternates who have the same racial identity as the members they would be representing?
- What are the terms of office and how will they be staggered?
- What is the policy in regards to members who fail to attend regularly?

(h) Agenda

Any member of the School Site Council may place an item on the agenda so long as it is within the scope of authority of the School Site Council.

(i) Co-chairs

There shall be co-chairpersons of all School Site Councils. The co - chairs shall be the Principal/ Head of School and one other voting member elected by the Site Council.

(j) Minutes

A notice of all actions taken by the School Site Councils will be distributed to all BTU Building Representatives and the President of the Faculty Senate within five school days following a council meeting.

(k) Information

All available information concerning the school budget and/or any other matter over which the School Site Council has authority must be shared with members of the School Site Council at least five school days before they are expected to vote on these issues.

### **3. Training**

The BPS and BTU agree to offer training to all School Site Council members.

The BTU shall provide adequate facilities and materials for this training. The training should be a shared responsibility between the BPS and the BTU, and the School Department shall allocate \$50,000 annually for the training of School Site Council members. Upon request, the School Department shall provide the BTU, CPC, Sped PAC, DELAC and BSAC with a list of all School Site Council members.

### **4. Scope of Authority**

#### **(a) Compliance with Law**

In managing a school, the School Site Council must comply with all applicable federal and state laws, regulations, and court orders, unless the school has sought and received a proper waiver from appropriate authorities. Absent such a waiver, the Superintendent shall have the power to order specific measures at the school site to enforce such compliance. The School Department and the Union will cooperate through the Steering Committee in aggressively seeking appropriate approvals or waivers of state or federal policies or regulations or to seek statutory change to allow at least a demonstration project.

The actions of School Site Council must also adhere to the standard of sound educational policy equitably applied to all students. Consistent with her or his statutory responsibilities, it is ultimately up to the Superintendent, in consultation with the Steering Committee, to determine what is inequitable or clearly beyond the bounds of sound educational policy.

This section serves to limit the application of sections (b) through (d) below. Any decision under this section to disallow the action of School Site Council shall be reported to the Steering Committee.

#### **(b) Discretionary Powers**

To the greatest extent possible, decisions affecting the educational process at an individual school shall be made at the school level. Where a decision cannot be made at that level, schools should

be free to communicate their views and concerns related to that decision to the relevant decision-maker. School Site Councils shall have primary authority to make decisions affecting those matters listed in Section III (B) (2) above.

(c) School Staffing

Decisions on the voluntary in-transfer of teachers, the hiring of new teachers for "real" vacancies, and consistent with the terms of the current contract the choice of teachers from the excess pool will be made by a Subcommittee of the School Site Council composed of two teachers, one parent, and the Principal/Head of School, with a majority required for decision and with the Principal/ Head of School voting with the majority. Teacher and parent representatives on this subcommittee may designate temporary replacement representatives appropriate to the position being filled.

In addition to permanent teachers who apply for transfer, School Site Council may consider a provisional teacher with a letter of reasonable assurance for a position which appears on the transfer list and that the provisional currently holds within that school.

Decisions on the voluntary in-transfer of teachers may be made without regard to teacher seniority. In the event that the School Site Council is unable to reach a decision, the contract provisions in effect prior to the universal implementation of shared decision-making school-based management shall apply.

After interviewing candidates for a vacancy at a school that results from the transfer process, or if a vacancy at a school occurs after the completion of the regular transfer process, a school may choose to advertise or re-advertise the position.

BTU members on the School Site Council shall select the BTU representatives to serve on any screening committee convened to make recommendations for permanent appointments to administrative positions within the school consistent with screening committee guidelines and policies distributed by the School Department.

(d) Waivers

School Site Council may waive any provision of this Agreement or



any School Committee rule or regulation or Superintendent's policy provided that:

1. The Principal/Head of School approves the waiver;
2. The school's Parent Council approves the waiver (in the case of School Committee rules or regulations or Superintendent's policies);
3. At least 66 2/3% of the members of the bargaining unit who work more than 50% of their work week at that school and who are present and voting approve the waiver; such vote shall be conducted by the Union representative using a secret ballot after five (5) days' notice to all those eligible to vote;
4. No waiver vote may alter any bargaining unit member's salary and benefits, seniority rights involving transfer, excessing, or layoff procedures, due process rights, or right to file a grievance, nor the Union's jurisdiction; and
5. No waiver vote may affect the operation of another school or incur costs to the School Department beyond the school's allocated budget without the approval of the School Department;
6. The Steering Committee shall be notified in writing of all waivers within five (5) days of their adoption.

In particular, School Site Council may waive provisions of this Agreement and School Committee or Superintendent's policies and regulations that involve:

- Timing and length of the school day and year, consistent with clause (5) above (for example, a school might propose to meet from 3 p.m. to 10 p.m.);
- Amount of time a teacher spends teaching each week;
- Class size (some classes involving less intensive supervision might exceed the class size maxima to permit more intensive staff involvement with students in other areas);
- Number, time, and place of teacher-parent meetings;
- Number, use, and scheduling of In-Service, planning, professional development and other staff meetings;
- Number, use, and scheduling of planning and development and administrative periods;
- Non-Teaching duties teachers are required to perform;

- Curriculum;
- Timing of report cards;
- Testing;
- Record keeping and paperwork requirements;
- Attendance policies;
- Graduation requirements;
- Student discipline codes; and
- Any other provision, policy, or regulation whose waiver is approved by the Steering Committee.

A school seeking permission from the Steering Committee to waive some provision of this Agreement or of a School Committee or School Department policy should be prepared to explain concretely their proposed alternative approach, the educational needs motivating the change, and in the case of a policy waiver, how that approach will meet the educational interests motivating the present policy.

If a teacher at a school waiving a provision of this contract as described above objects to the impact of that waiver on his or her job responsibilities, he or she shall be afforded an opportunity to transfer to another position in the system without loss of seniority or benefits. The implementation of any such waiver shall be delayed until such transfer opportunity has been provided or the impact of the waiver on this teacher has been eliminated. Any dispute arising out of the provisions of this paragraph shall be referred to the Steering Committee for resolution and shall not be arbitrable, provided that the Steering Committee reaches a decision on the matter within 30 days.

## Section

# 4



## **SCHOOL SITE COUNCILS: FREQUENTLY ASKED QUESTIONS**

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**Section****4****School Site Councils:  
Frequently Asked Questions****School-Based Management/Shared Decision-Making and  
School Site Councils**

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**1. What is the governing philosophy of School-Based  
Management/Shared Decision-Making (SBM/SDM)?**

The School Committee, the Boston Teachers Union and the Superintendent agree that the school site is the appropriate place for most decision-making affecting the education of children in that school. Accordingly, they agree that school sites should have as much flexibility as possible in managing their budget and organizing their educational programs for maximum educational effectiveness, free of unnecessary restraints imposed by School Department policies or by the Boston Teachers Union collective bargaining agreement. This approach is known as school-based management.

The philosophy that drives school-based management/shared decision-making is collaboration. At the center of SBM/SDM is the establishment of a climate in the schools where the faculty, parents, administration, students (at the high school level), and other community participants working together share the responsibility and accountability for school improvement, better student performance, increased satisfaction among professional educators, greater involvement by and with parents, and stronger support from the community at large.

In Boston, School-Based Management and Shared Decision-Making go together; you can't have one without the other!

## **2. What is the goal of SBM/SDM?**

The overriding goal of SBM/SDM is to improve the quality of instruction and learning for students. As a result of SBM/SDM, improved student outcomes are anticipated.

## **3. What is the role of School Site Councils in SBM/SDM?**

In 1993, the State enacted the Massachusetts Education Reform Act that, in part, mandated that every school in the Commonwealth establish a school council, composed of parents, teachers, and the principal, that serves as an advisory body to the principal. In contrast, School-Based Management in Boston placed School Site Councils at the center of improvement. School-Based Management in Boston invested Councils with actual authority and responsibility for their schools. The School Site Councils are decision-making committees.

School-Based Management/Shared Decision- Making (SBM/SDM) is the process that School Site Councils use to engage the school community in the planning and implementation of school improvement efforts.

## **4. Who in the school makes decisions?**

The best quality decisions at the local level are likely to result from a process of shared decision-making. Shared decision-making is a process in which all members of the education community at the school level collaborate in identifying problems, defining goals, formulating policy, implementing programs, and learning from experience.

Under SBM/SDM, the School Site Council (SSC), an elected group of parents, teachers, and students at the high school level, plus the Principal/Head of School, has the authority to make most decisions about the school.

## **5. What is the role of the Principal/Head of School under SBM/SDM?**

The Principals/Head of Schools are the educational leaders at the school site. The building administrator is a key person in creating the environment necessary to bring about positive change. The

Principals/Head of Schools share with teachers and parents (and students at the high school level) through their representatives on the School Site Council the responsibility to create an environment where learning and teaching are enhanced.

**6. What is the role of teachers/BTU members?**

The most important interaction affecting student performance takes place daily between teachers and students. For this reason, teachers have a shared voice in making decisions at the school through the SSC. Along with having more say, the teachers accept more responsibility and accountability for the success of their school.

**7. What is the role of parents?**

Parents are as central to SSC as the Principal/Head of School and teachers. Both state law and the BSC/BTU Collective Bargaining Agreement require parity on school Councils. This means that the number of parents must equal the number of teachers who serve on the Council, plus the Principal/Head of School.

All parties to the BSC/BTU Collective Bargaining Agreement recognize that parental involvement is essential, and so parents also have a strong voice in decision-making at the school level. Parents must have a child enrolled in the school in order to be eligible for election to the SSC.

**8. What is the role of other school groups under SBM/SDM?**

Whatever arrangement the school community makes for other school bodies, it is essential for everyone to acknowledge that the School Site Council is the sole decision-making team for the school under School-Based Management/Shared Decision-Making.

Other elected school bodies, such as the Faculty Senate and School Parent Council, continue as the organized advisory voice for the concerns and views of their respective constituent groups in the school. According to the preferences of the school community, these other groups may be asked to present their viewpoints to the School Site Council directly or through their SSC representatives. Alternatively, the BSC/BTU Collective Bargaining Agreement contemplates that some schools may choose to replace other elected school bodies with the School Site Council. This may be

done only with the agreement of the groups to be replaced.

**9. Can a school choose not to have a School Site Council? Is SBM/SDM voluntary?**

No, state law requires every public school in Massachusetts to establish a School Site Council. Furthermore, the Collective Bargaining Agreement between the Boston Teachers Union and the Boston School Committee provides that every school in Boston must participate in SBM/SDM and follow the provisions of the Contract relative to SBM/SDM and SSCs.

In the case of autonomous schools, the school governance structure may vary. However, they must have a governing board that includes a minimum of four teachers and MA state law requires parity in parent representation.

Each autonomous school's governing structure is reviewed and approved by the Joint Steering Committee during the Pilot School application process.

**10. Who can serve on School Site Councils?**

The SSC is composed of the Principal/Head of School, teachers and other members of the BTU bargaining unit, parents of students currently enrolled in the school, and, in high schools, two students, all of whom represent their respective group. BTU bargaining unit members include teachers, paraprofessionals, nurses, guidance counselors, itinerant specialists, COSSES, and other eligible BTU staff who spend more than 50% of their time at the school. Once established, School Site Councils may choose to add associate non-voting members, a category which will be discussed later.

**11. How many members serve on a School Site Council?**

The size of the SSC is mainly determined by the size of the school staff – the larger the staff, the larger the SSC. The size of the Council can also increase in order to meet the diversity goals described below. Based on the school's staffing figures as of October 1, each group elects the number of representatives according to the following guidelines:

Representative Group	School Size	SSC Representatives
<b>BTU Bargaining Unit:</b> teachers, paraprofessionals, nurses, guidance counselors, itinerant specialists, ETF's, and other staff who spend more than 50% of their time at the school.	Schools with 30 or fewer bargaining unit members	4 BTU SSC representatives
	Schools with 31 but not more than 60 bargaining unit members	5 BTU SSC representatives
	Schools with 61 or more bargaining unit members	6 BTU SSC representatives
<b>Parents:</b> must be a parent or guardian of a student attending school.  The number of parents elected to the Council must equal the number of BTU bargaining unit representatives plus the Principal/Head of School.	Schools with 30 or fewer bargaining unit members	5 parent SSC representatives
	Schools with 31 but not more than 60 bargaining unit members	6 parent SSC representatives
	Schools with 61 or more bargaining unit members	7 parent SSC representatives
<b>Students:</b> at the high school level	N/A	2 student SSC representatives

## 12. How are members selected?

With the exception of the Principal/Head of School and Associate members, members and Alternates are elected by the group they represent – parents elect Parent Representatives, Teachers and others in the BTU Bargaining Unit elect BTU Bargaining Unit Representatives, and, at the high school level, students elect the student representatives. The Principal/Head of School is automatically a member.

## 13. When are elections held?

Each school is responsible for scheduling and facilitating its election and submitting the date to the Office of Family and Community Advancement. If a school needs support with facilitating the election they may contact the Office of Family and Community Advancement. The election process must be completed by October 15 so that



School Site Councils can be established and prepared to hold their first meeting each year by October 31. Each year, the Principal/Head of School must send a completed Roster of School Site Council members and Alternates to the Office of Family and Community Advancement by October 31 as specified in the Superintendent's Circular "School Parent Councils and School Site Councils: Elections and Procedures." The roster should include the name, address, telephone number, email, racial/ethnic designation, home language, and term of office for each member elected to the School Site Council. (See "Roster Form" in Appendix A.)

**14. How are teachers and other BTU members selected?**

They are elected by secret ballot in elections conducted by the BTU building Representatives. Members of the BTU Bargaining Unit who work more than 50% of their work week at the school are both eligible to be candidates for election to the Council and to vote in the election.

**15. Can a BTU member who is also a parent of a child at the school serve as the Parent Representative?**

No. Members of the BTU Bargaining Unit who are also parents of children at the school in which they work may not serve as a Parent Representative to the School Site Council. However, teachers who are parents of children at schools other than where they work can serve as parent representatives at those schools. Teachers who have children in more than one school may serve on only one SSC. This applies to all BPS schools including pilot and alternative schools.

**16. How are parents elected?**

The School Parent Council and other organized parent groups in the school assisted by the Principal/Head of School, oversees the election of Parent Representatives. SPC Election Facilitators, certified by the Office of Family and Community Advancement will facilitate the SPC/SSC elections. Parents of children enrolled at the school are eligible both to run for election to the Council and to vote in the election. Parents who have children in more than one school may serve on only one SSC.

**17. How is the high school student member selected for the School Site Council?**

Student members of School Site Councils at the high school level must be elected by the entire student body. The student members represent all students on the SSC.

**18. How long do members serve on the Council?**

School Site Council sets the length of office for members in its Bylaws. The terms of participation can be one year, two years, or three years. However, it is strongly recommended that the term of office not exceed three years. Councils are encouraged to stagger the terms of office so that a percentage, for example, one-third of Council seats are open for election each year. Staggered terms guarantee that SSCs have a good mix of members with experience and new members with fresh ideas and perspectives. It will also ensure that no more than a fixed percentage of the membership of the SSCs is newly elected and in need of training in any one year. Finally, staggered terms have the benefit of drawing increasing numbers of teachers and parents into the process, thereby expanding participation and responsibility for the school and its students.

**19. Can other individuals serve on the SSC?**

Yes, the Contract provides for Associate members who can participate fully in SSC meetings, but cannot vote. The SSC may select additional high school students, representatives from business, labor, community-based organizations, higher education, or other employee groups in the school such as custodians and secretaries to serve as Associate members. One category of possible associate membership, those drawn from other employee groups such as custodians, cafeteria staff, and secretaries can provide additional, important perspectives on the needs of the school and its students.

**20. What role can non-school Associate members play on the Council?**

Representatives from business, higher education, and community organizations can offer expertise and contacts that can help the SSC to be more effective and creative in its approach to school

improvement. Associate members have equal voice, may make motions, can participate fully in Council deliberations, and have a hand in consensus decision-making, but cannot take part in formal votes.

**21. How many Associate members may serve on SSCs?**

In addition to parity between parents and school professionals on Councils, the Massachusetts Education Reform Act of 1993 requires that the number of associates, non-school members may not exceed the number of teachers, parents, students, and Principal/ Head of School. For example, SSCs with ten elected members can have no more than ten Associate members as representatives from business, community, and other non-school organizations. Associate members, then, may not constitute more than 50% of the Council membership.

**22. Are there other guidelines for the election of SSC members?**

The BSC/BTU Collective Bargaining Agreement urges teachers and parents to elect individuals who are representative of the racial and ethnic diversity of their respective groups.

Similarly, the Massachusetts Education Reform Act clearly stipulates that the membership of school Councils “should be broadly representative of the racial and ethnic diversity of the school building and community.” The spirit of SBM/SDM, as well as common sense, dictates that good decision-making requires the participation of every group in the school community.

Most critically, a SSC lacking diversity cannot function in a way that is consistent with the spirit, as well as the letter, of the state law and the BSC/ BTU Collective Bargaining Agreement.

**23. How does the mandatory diversity provision work in the election of BTU Representatives to the SSC?**

In general, the number of BTU representatives to be seated on Councils shall be determined as previously outlined in question 11, using staffing figures as of October 1.

Additionally, in the election for School Site Council members, each racial group that constitutes at least 5% of the BTU membership at

a school site shall have the highest vote-getting candidate who is a member of that racial group seated on the School Site Council.

If one or more of the highest vote-getting candidates from any racial group or groups is not among the highest overall vote-getting candidates the number of seats of the School Site Council shall be increased as follows: all of the highest vote-getting candidates from each eligible racial group and all of the highest overall vote-getting candidates shall be seated. It is therefore possible that the number of BTU representatives may exceed the number of seats as outlined in question 11.

To promote diversity in school governance, the following racial groups are recognized in the election and composition of School Site Councils; African American/Black, American Indian, Asian/American/Pacific Islander, Hispanic, and White.

#### **24. What about resignations?**

Alternates may be used to fill vacancies created by resignation or removal of a Council member of their same constituent and racial group. The handling of resignations needs to be spelled out in the Council's Bylaws.

#### **25. How should the Council handle unexplained absences?**

By standing for election, members make a commitment to attend monthly meetings and other SSC activities. The School Site Council has the authority to establish its own requirements concerning attendance through its Bylaws. Since the success of SBM/SDM depends on the participation of all SSC members, it is recommended that the seat of a member who does not attend regularly be declared vacant and filled by an alternate. However, any member whose seat is being declared "vacant" should be notified before being replaced.

#### **26. Can the School Site Council, now or in the near future, change its composition?**

After at least one year of operation as a shared decision-making school, School Site Council may change its composition with the consent of a majority of the representatives of each represented group, except that no represented group can agree to the

elimination of its representation.

## **Operational Requirements and Guidelines for School Site Councils**

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### **27. How are the operational procedures for SSCs determined?**

The Collective Bargaining Agreement between the Boston Teachers Union and the Boston School Committee outlines the purpose, scope and operational procedures for the School Site Council. (See page 9-16 in the Collective Bargaining Agreement 2018-2021) Each School Site Council determines most of its own operating procedures through the adoption of council Bylaws. Each Council is required to pass Bylaws to govern its operation. The Bylaws must be approved by two thirds of BTU members in the school and by two-thirds of the parents who come to a parent meeting for which there must be at least two weeks' notice.

### **28. What must be included in the bylaws?**

The bylaws must include the following operational procedures:

- How elections will be organized and conducted
- When meetings will be held
- What the notice procedure is for announcing meetings
- Who is responsible for Co-chairing the Council with the Principal/Head of School Program Director and for recording minutes
- What the system is for selecting alternates who have the same racial identity as the members they would be representing
- What the terms of office are and how they will be staggered
- What the policy is in regards to members who fail to attend regularly

### **29. What other matters may be covered in the bylaws?**

The bylaws may also include provisions that address the following:

- What subcommittees will be established in addition to the Personnel Subcommittee

- What portion of each meeting is set aside for public comment by individuals in attendance which are not Council members?
- How the Council will inform the wider school community of its decisions and activities?
- Where will minutes be posted and distributed?
- What is the process for amending the bylaws?

### **30. Who Chairs SSC meeting?**

The Principal/Head of School co-chairs the meetings of the School Site Council along with one other voting member of the school site council. At the first SSC meeting, the Council is urged to elect one or more of their members to serve as co-chairs with the Principal/Head of School.

### **31. As public bodies, must School Site Councils observe Massachusetts Open Meeting Law?**

Yes. The Education Reform Act specifically makes Councils subject to the Massachusetts Open Meeting Law.

School Site Councils are required to:

- open all meetings to the public and permit any person to attend any meeting;
- allow anyone in attendance to video or audio tape the meeting;
- post a notice of each meeting at a public place at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays;
- keep accurate minutes of all meetings, including executive sessions, indicating the date, time, place, members present and absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and action taken at each meeting, including the records of all votes; and
- adhere to a quorum, as defined below.

To assist schools in complying with the Open Meeting Law, OSFCA will serve as the repository of meeting notices and minutes. Schools must submit meeting dates, minutes and notices of meeting changes to OSFCA within five school days.

### **32. What's a quorum for SSC meetings?**

A quorum must be present to validly conduct SSC business or to even hold a Council meeting. To constitute a quorum of members at a Council meeting, the Principal/Head of School must be present as well as at least two teachers and two parents for Councils with 9 to 12 voting members or at least three teachers and three parents for Councils with 13 or more voting members.

### **33. As members of public bodies, are School Site Council members municipal employees and as such subject to the state's conflict of interest law?**

Yes. According to the State Ethics Commission, school Councils are considered municipal agencies and their members, although they serve without compensation, are considered municipal employees for the purpose of the conflict of interest law. This provision is especially relevant to parent and associate members of Councils who serve on other municipal agencies, boards, and communities with Boston or who do business with city agencies, e.g., a Council member who is a contractor bidding to do repairs on the school building.

### **34. How often and when are meetings held?**

Well-planned, well-attended, SSC meetings are at the heart of successful SBM-SDM. Regular meetings of the School Site Council need to be held at least monthly. The Principal/Head of School must be in attendance for the meeting to be considered valid. A basic requirement is the scheduling of meetings at times which are convenient to both parent and teacher representatives.

A number of SSCs have developed other approaches to the scheduling of meetings. For example, some Councils hold alternate meetings between before/after the school day and in the evening. Others hold their meetings off-site in the facilities of a school's business partner. And, some SSCs meet occasionally during the weekend. A sensible scheduling of SSC meetings at times convenient to all members is necessary for effective SBM/SDM.

### **35. Who determines the agenda for meetings?**

The SSC sets the agenda for meetings. Agenda items may be

submitted by any SSC member or Associate member. The School Administrator and the other Co-chair must solicit agenda items from other Council members and from the greater school community prior to the meeting date.

**36. How do SSC members become informed about the Open Meeting Law in greater detail?**

SSC members who wish to be more fully informed about the State's Open Meeting Law obtain information and materials from the Office of Family and Community Advancement, and from the City Clerk in Room 601 at Boston City Hall, One City Hall Plaza.

**37. Can the SSC close any meeting to the public?**

No. While the Open Meeting Law does permit closed executive sessions for the purpose of deliberating ten specific issues, these issues concern matters that are not either under the control of SSCs or appropriate for SSC meetings. For this reason, the Council will never have reason to go into Executive Session

**38. How is the notice of each meeting to be given?**

As the first order of business each year, the SSC must develop a calendar of scheduled meetings for the school year, including the date, time, and location. This list should be forwarded to the School Superintendent and the Office of Family and Community Advancement. The Office of Family and Community Advancement will forward the lists to the Office of the City Clerk. In addition to the posting of meeting dates by the City Clerk, the list must also be posted in the school building, and a copy must be given to all staff and all parents. SSCs are also urged to distribute timely reminders of each meeting to staff and parents throughout the school year.

**39. How is notice given for additional meetings or for those requiring change of date?**

The Principle/Head of School must post additional meetings or date changes with the Office of Family and Community Advancement no less than 48 hours prior to the date of the meeting and give written notice to the School Superintendent and to the Office of Family and Community Advancement in the same time frame. Saturday's, but not Sunday's and legal holidays, count in the giving of public



notice. Staff and parents must also be notified at least 48 hours prior to the date of the meeting. More extended notice would be more desirable.

**40. Is there any provision for a meeting ever to occur without 48-hour notice?**

The requirement of 48-hour notice can be waived in the case of an emergency, defined under the Open Meeting Law as “a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.” SSCs are generally discouraged from holding emergency meetings, if at all possible.

**41. What does the Open Meeting Law require for the minutes of meetings?**

It is recommended that a member be designated secretary of the Council. The Co-chairs must make the minutes available for public review in the school office and the minutes include a copy of the agenda, as well as the date, time, place, members present and absent, and actions taken. These must be shared with the BTU staff and the School Parent Council, in the interest of keeping the school community fully informed within five (5) school days. Finally, the minutes must be forwarded to the OSFCA within at least 5 school days following the meeting. (See “Minutes Form” in Appendix B). The minutes shall be reviewed for accuracy, modified if necessary and approved by the entire council at the next SSC meeting. Any changes to the previous meeting minutes shall be reflected in the minutes of the meeting in which the change occurs.

**42. Under the Open Meeting Law, can the public participate in SSC meetings?**

Yes, the public may participate but are not eligible to vote. In the interest of open communication, SSCs can reserve part of the agenda for public comment.

**43. Beyond these requirements of state law and the BSC/ BTU Collective Bargaining Agreement, how can Councils connect with their school communities?**

As the school’s governing body, the SSC becomes the keeper of important information and the body responsible for communicating

and getting input at the school. When making decisions or striking out in new directions, the SSC needs to get input and advice from teachers, parents and students as well as key players from the central office and the community. Some of that advice will come from other school groups such as the Faculty Senate and School Parent Council.

The SSC shall keep everyone in the school community informed about the workings and decisions of the Council. The Council shall involve the total school community in School-Based Management/ Shared Decision-Making as much as possible.

### **Decision-Making by School Site Councils**

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#### **44. What approach should the SSC take toward decision-making?**

It is expected that School Site Councils will function by consensus or general agreement of the members.

Members of the School Site Council are expected to operate as a single decision-making team. Their task is to work together to fashion effective solutions to the school's educational problems and challenges. The SSC is not a group of spokespersons, narrowly representing the interests of the group that elected them or of any sub-group. School Site Councils have parent, teacher, student, and associate members to guarantee that decisions reflect the viewpoints of everyone in the school community.

#### **45. Does consensus mean that all members must agree with decisions?**

Definitely not. Consensus does not require that there be unanimous agreement. Consensus is an agreement which each group member:

1. Has an opportunity to comment on,
2. Understands, and
3. Can live with and is willing to implement

Building consensus decisions involves everyone having the opportunity to be heard.

**46. Won't consensus result in endless discussion and no decision?**

Not necessarily, if the SSC follows some guidelines:

- **Importance of issue:** Normally, the more important the issue, the more time members should be willing to devote to reaching a consensus decision. Routine matters should be given much less valuable time and energy than fundamental issues.
- **Opportunity for all views to be expressed:** Members with different views should have the opportunity to make sure other members have understood their views before ending the discussion. Although others may still not be persuaded, everyone must have a chance to state their views and to have others listen.
- **Strength of feeling:** How strongly members feel should guide how much time should be devoted to an issue.

**47. Does consensus mean that Councils do not operate like a representative body such as the US Congress where a simple majority takes all? Are votes ever taken?**

It's not appropriate for SSC to function on the model of legislative bodies. Council meetings are not competitive, win-or-lose events. Making decisions solely on the basis of majority votes runs the unacceptable risk of dividing the Council. School improvement is definitely a matter of teamwork, trust, and shared commitment on the part of everyone in the school community.

This team approach does not prohibit voting in every case. Occasionally, periodic "straw polls" may be a good idea to identify the common ground on the way to reaching consensus decisions. As mentioned earlier, voting can save valuable time reaching decisions on routine matters.

Finally, under the terms of the BSC/BTU Collective Bargaining Agreement, decisions must be formalized by a majority of the SSC. The Principal/Head of School must vote with the majority, and he/she may not delegate his/her vote except in emergency situations. Here, the purpose of voting is to validate and to make official consensus decisions. Formal voting should be the last step in the decision-making process.

**48. What if the vote results in a simple majority but does not reveal consensus on the issue being decided?**

A lack of general agreement should be viewed as a signal that the best option has not yet been developed and proposed. Unless all members are willing to support a majority decision, more discussion is needed. Votes which split parents and teachers are particular concerns and a clear indication that consensus has not been achieved. In such a case, the decision should be set aside and the issue at hand revisited.

**49. Can the Principal/Head of School veto a decision by a Council?**

Yes, the Principal/Head of School may veto a majority decision of a School Site Council. The Principal/Head of School must vote with the majority for a decision to be adopted and carried out. In the event of a veto, the Principal/Head of School is required to give his/her reason in writing and in person at a following meeting for any vote that is in opposition to a majority of the Council. In schools with no appointed or acting Principal/Head of School, the School Superintendent or his/her designee will substitute for the Principal/Head of School.

**50. What course of action can an SSC take in response to veto by the Principal/Head of School?**

The Principal/Head of School is the educational leader of the school and a key person in bringing positive change to the school. A veto by the Principal/Head of School should trigger more discussion on the issue under consideration. School Site Councils are urged to carefully reconsider their decision light of the differing viewpoints of the Principal/Head of School.

However, if at least 2/3 of the members of the Council vote to challenge the veto, the Superintendent will designate a mediator to meet with the Council within five school days to attempt to resolve the dispute. If mediation is unsuccessful, the Council by a vote of at least 2/3 of its members may, within five school days of the meeting with the mediator, appeal the matter in writing to the Superintendent. The Superintendent may choose to meet, talk with the parties or have a designee confer with the parties at his/her decision. The Superintendent will issue a written decision within ten school days of the appeal. The decision of the Superintendent will be final.

**51. Isn't there a less confrontational way to resolve these and other disputes?**

Successful SBM/SDM demands the cooperation, trust, and mutual regard of every one! It is anticipated that reasonable people of good will disagree on occasion and may become deadlocked on some important issues or even repeatedly fail to reach consensus on certain issues. The Office of Family and Community Advancement, in conjunction with the BTU, offers consultation, facilitation, and training in conflict resolution, team building, and effective meetings.

The Principal/Head of School on his/her own authority or any other three members of the Council may request that the Academic Superintendent name a facilitator to help improve the Council's process. All members are obligated to cooperate in good faith with the effort to ease and free the blocks to decision-making.

**BPS/BTU Joint Steering Committee and the Oversight of School Site Councils**

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**52. Who has overall responsibility for SBM/SDM in the Boston School Department?**

The BPS/BTU Joint Steering Committee develops and implements policies and guidelines and generally oversees the implementation and operation of SBM/SDM.

**53. Who serves on the BPS/BTU Joint Steering Committee?**

The Joint Steering Committee is composed of the Superintendent of Schools and the President of the BTU, who serve as co-chairs; five members from BPS appointed by the Superintendent and five members from the BTU appointed by the President of the BTU, who represent the diverse racial and ethnic constituencies of the parties; five parents appointed by Citywide Parent Council (CPC); and two student representatives appointed by Boston Student Advisory Council (BSAC).

**54. How does the BPS/BTU Joint Steering Committee reach**

### **decisions?**

Reflecting the commitment to the shared decision-making approach, the BPS/BTU Joint Steering Committee operates by consensus and thereby serves as a role model to School Site councils. In reaching decisions, both the Superintendent of Schools and the President of the Boston Teacher Union need to be on the prevailing side of the issue.

### **55. More specifically, what role does the BPS/BTU Joint Steering Committee play in SBM/SDM?**

The BPS/BTU Joint Steering Committee oversees the operation of School Site Councils and School-Based Management/Shared Decision-making, including:

- Development of specific criteria and procedures for selecting the schools to receive School Improvement Awards in collaboration with the Superintendent who will submit the criteria for approval to the School Committee;
- Orientation and training of SSC members;
- Approval of waivers in other areas;
- Resolution of disputes arising out of waivers of contractual provisions that have an unwanted impact on a teacher(s) at the schools;
- Assisting with obligation approvals or waivers of state or federal policies and regulations;
- Support of Councils seeking a change in a law needed to proceed with the decision of a SSC;
- Suggestions to maximize the percentage of a school's budget under the control of the Principal/ Head of School or SSC and to maximize the percentage of all central allocations that are made directly to schools and spent by the decision of the school site.

Most of these areas are more thoroughly discussed elsewhere in this *Manual*.

### **56. Does the BPS/BTU Joint Steering Committee ever become more directly involved with the School Site Council? Over which kinds of issues?**

The Steering Committee will monitor the operation of School Site Councils and may recommend action to deal with Councils that do

not operate in compliance with the terms of this collective bargaining agreement or where Councils are frequently unable to reach decisions by consensus, or where the principal/ Head of School repeatedly exercises a veto over the votes of a majority of council members.

To accomplish this monitoring role, the Steering Committee will establish a subcommittee for the purpose of reviewing and responding to complaints arising from schools that SBM/SDM is not implemented in accordance with the terms of the collective bargaining agreement. The subcommittee will consist of two members of the Steering Committee appointed by the BTU President, two members of the Steering Committee appointed by the Superintendent, two parent members of the Steering Committee appointed by CPC and two student members appointed by BSAC.

A notice of all actions taken by the School Site Councils will be distributed to all BTU Building Representatives, the President of the Faculty Senate, and to the Chairs of the Parent and Student Councils, within five school days following a council meeting.

Any member of a School Site Council may file a complaint with this Steering Committee concerning the operation SBM/SDM at his/her school. All such complaints will be forwarded to the subcommittee that shall acknowledge receipt of the complaint within five days and place the matter on the agenda of the next Steering Committee meeting. A recommendation by the Subcommittee on any complaint must be reported to the Steering Committee no later than the second Steering Committee meeting following receipt of the complaint.

It is expected that complaints submitted to this Subcommittee should involve serious breaches of the established guidelines for the implementation of SBM/SDM and that there has been a good faith effort at the school level to resolve these problems prior to filing the complaint.

Recommendations from the Subcommittee must be voted on by the full Steering Committee and such recommendations may include, but are not limited to, providing the services of a mediator/facilitator, calling for new Council elections for all or a portion of the School Site Council members, urging the Superintendent to send a letter of reprimand, if appropriate, or calling for the replacement of a building

administrator.

## **Overall Role of School Site Councils**

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### **57. What is the role of the School Site Council?**

The role of the School Site Council, as established in the Contract between the Boston School Committee and the Boston Teachers Union, is to manage all matters that relate to the operation of the school, including:

- Priority and objective setting;
- Development of a Quality School Plan
- Design and scheduling of the instructional program and curriculum
- Budgeting and fund raising that is aligned to the school's academic goals
- Purchasing and disbursement of discretionary funds
- Space utilization
- Hiring of new staff and second and third year provisional
- Staff assignment include teaching and non-teaching duties
- Parent-teacher relations and functions
- Solicitation and use of outside professionals and social service resources
- Setting reasonable dress codes for staff and students
- Any other matter that relates to the operation of the school
- By state law, at the High School Level review of student handbook

### **58. What is the role of the Principal/Head of School given the role of the SSC?**

The principal/Head of School is recognized as the educational leader and chief administrative officer of the school. While the Principal/Head of School and other members of the SSC share overall decision-making responsibility and authority, the Principal/Head of School is expected to manage the daily operation of the school. It is neither feasible nor desirable that the SSC attempt to micromanage"



the operation of the school.

### **General Scope of SSC Authority**

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**59. Isn't the role of the School Site Council to be advisory according to the Massachusetts Educational Reform Act of 1993?**

Yes, but the Contract between the BTU and the Boston School Committee goes far beyond the requirements of the state law. In Boston, each school is given actual control and responsibility for all major decisions about the school. The aim of SBM/SDM is to maximize decision-making at the school level. School Site Council has primary authority over those areas listed in the answer to question #57.

**60. Are there restrictions on the authority of SSC?**

Although given considerable authority, School Site Councils must observe all federal and state laws, regulations, and court orders that relate to the operation of public schools and provisions of the BSC/BTU Collective Bargaining Agreement.

According to the BSC/BTU Collective Bargaining Agreement, the decision of the School Site Council must also be consistent with the standard of sound educational policy fairly applied to all students. In keeping with his/her responsibilities by law, the Superintendent determines what constitutes unsound educational policy or policy which is not fairly applied to all students.

### **Scope of SSC Authority: Selection of School Personnel**

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**61. What is the range of SSC authority in the area of school staffing?**

The Personnel Subcommittee of the School Site Council interviews and decides on the selection of permanent, provisional, and outside candidates who voluntarily apply for open posted positions in the school. Decisions on the voluntary in-transfer of teachers to open posted positions may be made without regards to teacher seniority.

An open posted/ transfer posting is issued each year for positions which are expected to be available for the following school year. Open posted/transfer vacancies result from retirement and resignations, as well as positions held by provisional teachers and newly created positions.

**62. How are additional vacancies handled after initial open posted/transfer positions are posted in the spring?**

Remaining positions may be filled by permanent BPS teachers as well as a teacher who is hired to fill the position under a provisional contract and who did not serve under a provisional contract the previous year. The Career Center and Office of Human Capital Staff provides schools with the names and resume of prospective candidates to be interviewed. Schools are required to direct candidates who they recruit to the Office of Human Capitals Recruitment Unit. In turn, schools forward all interview results and recommendations to the appropriate Office of Human Capital Staffing Manager who proceeds with the steps for hiring. Schools and the individuals selected are then notified of the hiring decision. Outside the district candidates are also able to apply for open posted positions.

**63. Who serves on the Personnel Subcommittee of the School Site Council?**

The Personnel Subcommittee is made up of two BTU staff, one parent, one student at the high school level and the Principal/Head of School.

**64. How does the Personnel Subcommittee reach a decision?**

As in all SSC decision-making, members of the Council and its subcommittees are urged to reach decisions by consensus. Decisions need to be formalized by majority vote with the Principal/ Head of School voting with the majority.

**65. Is there any way to involve others who have more expertise in the position to be filled?**

Yes. Teacher and parent representatives may designate temporary replacement representatives according to the position being filled. These temporary replacements do not need to be members of

the SSC. For example, a Bilingual Education teacher may replace a teacher on the Personnel Subcommittee when a bilingual position is being filled, only if the elected BTU members choose to do so.

**66. How can School Site Councils become more fully informed about their role in the area of personnel?**

First, members of the School Site Council, particularly those on the Personnel Subcommittee, need to be thoroughly familiar with personnel guidelines for schools as they apply to SBM/SDM. Please reference the Office of Human Capitals Teacher Hiring Guide for more information on best practices and procedures for hiring.

**67. Are there specific steps that the School Site Council can take to effectively accomplish personnel goals?**

The Personnel Subcommittee is strongly advised to start work as early as possible and to actively recruit prospective teachers. Open houses, site visits and information meetings are a few approaches to attract desirable applicants for vacancies.

The SSC should prepare an informative statement about the school; philosophy, mission, instructional programs, communities served, faculty and student body. This statement, along with a detailed description of vacant positions, including special qualifications and expectations, will be published in personnel circulars and other notices of vacancies. The clearer the school's statement of itself and teacher expectations, the more likely it is that the school will attract suitable candidates.

Finally, the SSC should stay in close contact with the Office of Human Capital relative to the hiring of new staff.

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**Scope of Authority: Waivers**

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**68. Can School Site Councils make decisions which contradict the Contract, School Committee rules or regulations, or Superintendent Policies?**

In fulfilling their responsibilities, it is very probable that SSCs will make decisions, which are contrary to the contract and the rules,

regulations and policies of the School Committee and the Superintendent. In these cases, SSCs may seek to waive or to be released from the contradictory requirements of the Contract, rule, regulation or policy.

#### **69. What is the waiver process?**

The School Site Council may adopt a waiver provided that:

- a. The School Site Council formally approves the waiver
- b. The Principal/Head of School approves the waiver
- c. The school's Parent Council approves the waiver in the case of School Committee rules or regulations or Superintendent's policies (Circulars). (The School Parent Council does not vote on the approval of a waiver of provisions of the Contract.)
- d. At least 66 2/3% of the members of the Boston Teachers Union (BTU) bargaining unit, who work more than 50% of their work week at that school and who are present and voting, approve the waiver. The vote shall be conducted by the Union representative using a secret ballot after five (5) days' notice to all those eligible to vote.

#### **70. Do waivers have to be reported?**

Within five (5) days of the adoption of each waiver and prior to implementation of the waiver, the completed WAIVER REPORTING FORM (See attachment in Appendix D) must be forwarded to the BPS/BTU Joint Steering Committee for its information, c/o the Office of Family and Community Advancement.

#### **71. What may be waived?**

School Site Councils may adopt waivers in a broad array of areas. In particular, a Council may waive provisions of the Contract and School Committee or Superintendent's Circulars and regulations that involve:

- How the school day is scheduled (length of classes, administrative periods, planning and development periods, consecutive teacher assignments, and the like);
- Timing and length of the school day and year, remembering that the waiver may not affect the operation of another school

- or incur additional costs to the School Department);
- Amount of time a teacher spends teaching each week;
- Class size (Some classes involving less intensive supervision might exceed the class size maxima to permit more intensive staff involvement with students in other areas);
- Number, time and place of teacher-parent meetings;
- Number, use and scheduling of In-Service, planning, professional development and other staff meetings;
- Number, use and scheduling of planning and development and administrative periods;
- Non-teaching duties teachers are required to perform;
- Curriculum;
- Timing of report cards;
- Testing;
- Record keeping and paperwork requirements;
- Attendance policies;
- Graduation requirements;
- Student discipline codes; and
- Additional item(s), which have been approved by the BPS/BTU Joint Steering Committee for waiver adoption at the school site level.

Updated lists of items, which may be waived at the school site level, will be forwarded to School Site Councils by the Office of Family and Community Advancement.

## **72. When do waivers become effective?**

Ordinarily, waivers of items listed in question #72 and those subsequently added by the BPS/BTU Joint Steering Committee become effective upon adoption by the School Site Council and within 5 days of notification to the Joint Steering Committee. However, a waiver may NOT be immediately implemented if a teacher at a school waiving a provision of the Contract objects to the impact of that waiver on his/her responsibilities. In this case, he or she shall be afforded an opportunity to transfer to another position in the system without loss of seniority or benefits. The implementation of any such waiver shall be delayed until such transfer opportunity

has been provided or the impact of the waiver on this teacher has been eliminated. Finally, the objecting teacher must be given the Committee, c/o the Office of Family and Community Advancement, an opportunity to transfer to another position in the system without loss of seniority or benefits, which delays implementation one school year.

### **73. Can other items be waived?**

Yes, School Site Council may seek to waive a provision of the Contract, School Committee rule or regulation, or a Superintendent's Circular, which is an area, NOT listed in question #80. In such cases, the waiver must be approved by the BPS/BTU Joint Steering Committee PRIOR to implementing the waived item.

Please Note: the BPS/BTU Joint Steering Committee is scheduled to meet during the first week of each month. School Site Councils are urged to time their requests for waiver approvals accordingly.) A completed WAIVER APPROVAL FORM (Appendix) must be forwarded to the BPS/BTU Joint Steering Committee.

In seeking the approval of a waiver, as in reporting waivers, the School Site Council needs to explain concretely its proposed alternative approach, the education needs prompting the desired change, and, in the case of a policy waiver, how that approach will meet the educational interests underlying the present policy.

### **74. What may not be waived?**

No waiver vote may alter any BTU Bargaining member's salary and benefits, seniority rights involving transfer, excessing, or layoff procedures, due process rights, or right to file a grievance, nor the Union's jurisdiction.

No waiver vote may affect the operation of another school or incur costs to the School Department beyond the school's allocated budget without the approval of the School Department.

In managing a shared decision-making school, the School Site Council may not waive federal and state laws, regulations, and court orders, unless the school system has sought and received a proper waiver or approval from appropriate authorities. For example, School Site Councils may not waive the due process provisions of

the Code of Discipline (U.S. Constitution), Limited English Proficiency (formerly Bilingual Education) and Special Education program requirements (state and federal law and regulations).

School Site Councils are urged to seek the assistance of the School Department and the Boston Teachers Union through the BPS/BTU Joint Steering Committee in pursuing approvals or waivers of state or federal policies or regulations or statutory changes.

**75. How can Councils navigate the complex web of law, policies, regulations and court decrees in order to adopt waivers?**

Prior to submitting waivers, Councils are urged to have a preliminary discussion with the Office of Family and Community Advancement who will assist and refer SSC to the appropriate central office for guidance.

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**Scope of Authority: School Budget**

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**76. Does SSC mean more funds for the schools?**

No, SSC does not provide additional funds for schools. The decentralization of decision-making by itself does not increase available resources. Both the School Committee and Teachers Union recognize that current resources are inadequate to the task of educating children to their full potential. The school department, including the SSC accepts the responsibility for doing as well as possible with the resources now available.

**77. What is the role on the School Site Council in regards to the school budget?**

The roles of the School Site Councils are defined in the contract between the School Committee of the City of Boston and the Boston Teachers Union. Shared decision-making is based on a philosophy that "the school site is the appropriate place for most decision-making affecting the education of children in that school," and that "the best quality decisions are likely the result of shared decision-making."

The contract clearly defines your role, as a member of the School

Site Council, with respect to the budget. It is, in consultation with the Principal/ Head of School and other members of the Council:

*"to approve the budget for discretionary school materials, supplies, textbooks and equipment, including the use of school improvement funds" and, "to review and comment on the entire school budget, including the General Fund and External Funds budgets, in a timely fashion.."*

*Upon written request, school site council members shall be provided with written or electronic copies of school budgets.* In addition, the Budget Office expects each school budget to be signed by the Principal/Head of School, a parent member and teacher member of the Council. This signature does not necessarily mean that you agree with the budget, but that you have "seen and reviewed" the budget submitted.

Finally, you have an opportunity to submit written comments with the budget. These are most powerful when they are submitted by the Council.

It should be noted that the budget process is not disconnected from the work of the school or the Council. In its truest sense, the budget represents your financial plan to support the school's Quality School Plan.

#### **78. What assistance is available to prepare SSC members for budgeting?**

In addition to the SSC orientation and training offered by the OSFCA in conjunction with the BTU, Central office staff are available to make visits to School Site Councils that need additional information and help in understanding the budget process. Please see Appendix E for SSC Budget FAQs.

### **Quality School Plan (QSP)**

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#### **79. What is the Quality School Plan?**

Every year, each school in the Boston public school system is required to adopt a written QSP. This critical document sets specific



educational goals for the following school year, plans for meeting those goals, including budgetary requirements and contingencies, and proposed measures of success by which to gauge the achievement of the specified goals.

#### **80. What is the role of SSC in the development of the QSP?**

The development of this plan is the responsibility of the School Site Council. This is arguably one of the Council's most important responsibilities because the QSP is the school's blueprint for the improvement of teaching and learning – the central goal of SBM/SDM.

### **Orientation and Training of SSC members**

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#### **81. Who is responsible for the Orientation and training of SSC members?**

The BPS/BTU Joint Steering Committee is responsible for the Orientation and training of SSC members. Office of Family and Community Advancement and the Boston Teachers Union will coordinate the orientation and training of School Site Councils. In addition, the Office of Family and Community Advancement offers technical assistance to insure the effectiveness of School Site Councils.

The Orientation, offered by the BTU and the Office of Family and Community Advancement, focuses on the fundamentals of school department operations, school site council basics and initial training in team-building, group decision-making, effective planning, and successful communications.

#### **82. How extensive is the training?**

On an on-going basis, the BTU and the Office of Family and Community Advancement organize informative workshops on such important topics as parental engagement, educational planning, conflict resolution, and SBM/SDM as a tool for improving student achievement. School Site Councils are advised to have some members attend each session. The training provides background and skills necessary for informed decision-making.

**83. What kind of assistance can SSC receive concerning matters unique to their own school's situation?**

The Office of Family and Community Advancement and the Boston Teachers Union (BTU) are available to provide further guidance and assistance. The main number for OSFCA is 617-635-7750 or contact the BTU Field Representative Caren Carew at 617-288-2000.

The Office of Family and Community Advancement and BTU also offer instructional guides and training sessions designed to respond to SSC needs.

- Conflict Resolution;
- Communications in Schools;
- Building Teams;
- Parental Involvement in SBM/SDM;
- Educational Self-Assessment;
- Mission and Vision: Development and Review; and
- Educational Planning

**84. How can Councils be sure they are operating properly?**

"Profile of An Effective School Site Council," (see Appendix F) is a self-assessment tool for School Site Councils. It lists key practices that determine a Council's effectiveness:

- Setting and managing the educational direction of the school;
- Conducting efficient and effective Council meetings;
- Working together as a team;
- Managing team diversity;
- Communicating with other parts of the school system; and
- Clarifying joint responsibilities between the Principal/Head of School and the Council.

**85. What is most important for SSC to focus on as they go about SBM/SDM?**

Without doubt, improving the quality of teaching and learning for students always needs to be the most important concern. It is the overriding reason for SBM/SDM and should be the constant focus of all Councils and their members.

**School Parent & School Site Council Members Roles and**


## Section

# 5



## **APPENDIX A: SUPERINTENDENT'S CIRCULARS AND ELECTION INFORMATION**

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	<b>Superintendent's Circular</b>  <b>School Year 2021 - 2022</b>	<b>NUMBER:</b> FAM-01  <b>DATE:</b> July 1, 2021
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### School Parent Councils

Boston Public Schools values the voices of families and seeks to engage families in both school governance and in an advisory capacity at all levels throughout the district. School Parent Councils serve as advocates and advisors to Principals/Head of Schools, School Superintendents, the Superintendent, and the School Committee.

School Parent Councils (SPC) provide an opportunity for families to be more deeply engaged at the school level, partnering with the Principal/Head of School to improve school culture and outcomes for all students. In addition to the school-based SPC, there are district-wide parent advisory councils that bring together parents across schools to serve as advisors to district leadership. The Citywide Parent Council (CPC) serves as the district-wide voice for parents and is composed of representatives from each school. The Special Education Parent Advisory Council (SPED PAC) represents the families of students with disabilities who receive special education services. The District English Learner Advisory Committee (DELAC) works to ensure that parents are informed about all aspects of BPS that affect English Learners and provide recommendations to the Office of English Learners. These groups serve to empower parents and partner with BPS to improve outcomes for all students. This circular focuses on the role and function of the SPC.

#### **School Parent Councils**

The SPC is the independently established "voice" of ALL parents in the school community. The SPC advocates for students and the school meets frequently and consistently, elects representatives to sit on the School Site Council (SSC), and promotes an environment of understanding and common purpose among parents, students, and school staff, with a focus on student learning and school improvement. For the purposes of this circular, "The term parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare)." Sect. 9101(31) ESEA.

The roles and responsibilities of the SPC are to:

#### **Role**

- Collaborate with school staff to create a welcoming school climate for all students and families
- Coordinate school-wide activities and events that engage families in student learning
- Raise funds to support school-based initiatives, activities, events

#### **Responsibility**

- Provide a safe forum for families to express concerns
- Contribute to school-based initiatives related to school improvement, school climate, and student learning

## SPC/SSC ELECTIONS AND PROCEDURES

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**All parents or legal guardians of a child attending a particular school are automatically members of that school's SPC.**

SPC Executive Committee is the elected leadership of the SPC. Schools must adhere to the following guidelines for the election of the Executive Committee

- Elections for the 2021-2022 school year may be conducted virtually in order to adhere to public health guidelines
- Parents/ legal guardians who wish to become members of the Executive Committee must have a child enrolled at the school in which s/he is running.
- Co-chairs and officers are representative of the school community
- Any parent/legal guardian who is present at an SPC election may be nominated for the SPC Executive Committee (a parent may nominate her/himself)
- Elected members can serve on only one SPC
- Within one school, elected members can serve more than one role only if there are an insufficient number of candidates to fill all roles
- Parents/legal guardians who are not present at the time of the election may not be nominated
- Parents/legal guardians who work at their child's school may not be elected to the SPC Executive Committee
- Each family is allowed one vote per family
- Each candidate should be allowed one minute to introduce her/himself
- Elections can be carried out by secret ballot or can be approved by a majority vote of the present group
- Absentee ballots are not accepted

### **SPC Executive Committee**

The role of the SPC Executive Committee is to:

- Provide leadership and to organize the work of the SPC
- Maintain ongoing communication with all parents to ensure that they feel connected to what is happening at school
- Maintain ongoing communication and a collaborative working relationship with the Principal/Head of School, teachers, school staff, and community partners
- Create an inclusive environment on the SPC and in the school community as a whole that welcomes the active participation of all parents

The composition of the SPC Executive Committee should:

- Reflect the racial and ethnic diversity of the student body
- Include parents of students who are English Learners
- Include parents of students who receive special education services
- Include parents of students in a range of grade levels
- Include a mix of newly elected and experienced parent leaders

Parents may serve in more than one SPC Executive Committee role simultaneously at the same school. However, SPCs are encouraged to elect as many parents for the various roles for the purposes of sharing responsibility and building leadership capacity. The SPC Executive Committee consists of the following roles:

TITLE	PRIMARY FUNCTIONS	NUMBER ELECTED
Co-Chair	Schedule SPC meetings Create agendas Facilitate SPC meetings,	2

## SPC/SSC ELECTIONS AND PROCEDURES

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	Maintain ongoing two-way communication with Principal/Head of School	
Treasurer	Maintain clear and accurate financial records for the SPC Provide monthly expense reports Lead or manage SPC fundraising efforts	1-2
Secretary	Conduct outreach to the parent community Record and share meeting notes with the school community	1-2
Citywide Parent Council Rep	Participate in an inter-school parent group designed to advocate for BPS families and students and influence BPS policy	1-2
Special Education Parent Advisory Council Rep	Participate in a citywide parent organization designed to provide information and resources to families of students with disabilities who receive special education services	1-2
District English Learners Advisory Committee	Participate in a citywide committee tasked with providing recommendations to school and district officials in regards to programs and services provided to ELL students	1-2
School Site Council Reps	Represent the parent community as a member of the School Parent Council Participate in school-based decision-making Attend SPC meetings to report out on SSC business and receive information to bring back to SSC  Facilitate communication between the SPC and SSC	5-8 (based on the number of staff in the BTU bargaining unit)
Total # of Parents Elected to SPC Executive Committee		12-20

### Relationship between School Parent Council and School Site Council

The School Parent Council elects parent members to represent the parent voice on the School Site Council. The SSC representatives are members of the SPC Executive Committee and should attend SPC meetings to provide regular updates on the SSC proceedings to ensure opportunities for parent input and feedback. All SSC meetings are open to the public therefore, any parent, staff person or community member can attend. However, only the elected representatives can vote on SSC decisions.

### Open Meeting Law Requirement

SPCs serve as advisory to a public body (schools and BPS), therefore they are subject to the Massachusetts Open Meeting Law. According to the law, SPCs must adhere to the following requirements:

- Publicly post both their general and Executive Committee meeting dates and agenda
- All SPC meetings, general and Executive Committee, must be open to the public
- Meeting minutes and notes must be shared, posted and kept in a place at the school where they are accessible

For more information on the MA Open Meeting Law go to  
[www.mass.gov/ago/government-resources/open-meeting-law/](http://www.mass.gov/ago/government-resources/open-meeting-law/)

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### **School Parent Council By-Laws**

All School Parent Councils must develop by-laws for their council to provide structure and guidance for SPC operations. SPCs must annually review and approve their by-laws at their first meeting following the election. The by-laws are a public document and should be made available to all parents and members of the school community, upon request. The SPC by-laws should be submitted to the Office of Family and Community Advancement (OFCA) upon approval by the SPC.

### **School Parent Council Meetings**

The SPC should meet at least once monthly. The first meeting of the year should include a presentation from the principal/Head of School on the school's goals for the year and to elect representatives to the Executive Committee and School Site Council (see Superintendent's Circular FAM-2 for more details). The following meeting should focus on sharing the work that the SPC is doing and provide the opportunity for feedback from parents. **SPCs are encouraged to meet monthly in keeping with the SSC frequency to ensure that the parent body is kept abreast of SSC activity.** Meeting frequency and purpose should be detailed in the SPC By-laws.

### **SPC Guidelines for Principals, Head of Schools, and Administrators**

- Principal/Head of School must work with the SPC to host an annual Title I meeting to share with families how the school is investing its Title I allocation, rights and responsibilities of Title I parents and to seek feedback and/or input from parents on the Home-School Compact and Family Engagement Plan
- The Principal/Head of School should meet with the SPC on a regular basis to provide updates on school policies, the instructional focus, school data, other pertinent information, and address school-wide parent concerns
- The Principal/Head of School should provide families with periodic updates on overall student/school progress, sharing data at SPC meetings.
- The Principal/Head of School should meet with the SPC Co-Chairs for on-going communication regarding family and student engagement practices, student learning and school improvement.
- The Principal/Head of School should work with the SPC Co-Chairs to have information translated into the home languages represented at their school and ensure that arrangements for translation and interpretation have been negotiated and agreed upon by the SPC and school staff (this includes election night).
- The Principal/Head of School should assist the SPC in notifying families of all SPC and/or Executive Committee meetings, by providing access to a computer, paper, copying machine and postage, and by working with the SPC for timely dissemination of notices for the entire community using a range of communication methods including School Messenger, email, the school's website, and school media.

The SPC works collaboratively with the Principal/Head of School and school staff to solve problems to develop plans to improve the engagement of families and students. The commitment to partnering with families reflects the value that BPS has placed on the engagement of families and is grounded in decades of family engagement research.

### **Alignment with Principal/Head of School Evaluation**

Effective implementation and the authentic engagement of parent, teacher, and student voice align with the following standards of the Massachusetts administrator evaluation rubric:

- Indicator III-A1. Family Engagement

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- o Engages parents, students, and teachers in creating a welcoming school environment and fostering a shared responsibility engagement.
- Indicator IV-B1. Policies and Practices
  - o Creates opportunities for authentic parent, student, and teacher voice in school-based decision-making.
- Indicator IV-E-1. Shared Vision Development
  - o Parents, students, and teachers have an opportunity to shape the vision for the school as it pertains to instruction and school climate.
- Indicator IV-F-3. Consensus Building
  - o Decisions are made using a consensus model, in which all members of the SSC (including SPC members) have an equal voice.
  - o Resolves conflicts among members of the school community.

### Important Dates

Date	Activity
September 15	Election Dates Submitted to OFCA
October 15	Deadline for completing SPC elections of all parent reps, including SSC representatives; and submitting rosters to OFCA.

For more information about this circular, contact:

<b>Name:</b>	Monica Roberts, Chief of Family, and Community Advancement
<b>Department:</b>	Office of Family, and Community Advancement
<b>Mailing Address:</b>	2300 Washington Street, Roxbury, MA 02119
<b>Phone:</b>	617-635-7750
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Brenda Cassellius, Superintendent



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## SCHOOL SITE COUNCILS

Engaging families and students as equal partners has been identified as a core strategy for improving student performance in the Boston School Committee Goals and the BPS Engagement Policy. Family and student engagement is also a significant component of the Massachusetts School-Level Administrator Rubric.

This circular has been developed to help Principals/Head of Schools effectively implement School Site Councils (SSC) as a foundational structure for engaging parents and students in school-based decision-making and school improvement. The Office of Family and Community Advancement (OFCA) collaborates with the Boston Teachers Union (BTU) to provide oversight and support for SSCs.

For the purposes of this circular, "The term parent' includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare)." Sect. 9101(31) ESEA.

### **Role and Purpose**

The role of the School Site Council is to engage parents and teachers to serve with the Principal/Head of School as the central decision-making body of the school. SSCs are required by the Massachusetts Education Reform Act of 1993 and by the collective bargaining agreement between the Boston Teachers Union (BTU) and the Boston School Committee.

Under the school-based management/shared decision-making model described in the collective bargaining agreement between BPS and the BTU, the role of the SSC is to:

- Review and approve the Quality School Plan within guidelines established by the Superintendent.
- Review and approve the recommendations of the Instructional Leadership Team (ILT) that have been endorsed by the Principal/Head of School and that will have a major effect on the school community
- Review and comment on the entire school budget, including the General Funds and External Funds budgets, in a timely fashion
- Approve the budget for discretionary school materials, supplies, textbooks, and equipment, including the use of school improvement award funds
- Review and approve recommendations from any other committee or group that is established to recommend changes that will have a major effect on the school community
- Develop and approve plans for increasing parent engagement in the school.
- Develop, review annually and approve the School-Parent Compact as required by Title I
- Receive information about all outside programs or outside professionals that come into the school
- Approve waivers

As the central governing body at the school, the SSC oversees all school-based committees, including the ILT and the Personnel Subcommittee.

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The role of the ILT is to:

- Serve as an advisory body to the Principal/Head of School on issues related to teaching and learning, assessment and professional development
- Give a report each month to the SSC on ILT activities
- Seek and receive SSC approval for any ILT recommendation that alters the Quality School Plan or may have a major effect on the school community.

Each school must elect a Personnel Subcommittee, whose composition must include two teachers, one parent and the principal/head of school. The responsibilities of the Personnel Subcommittee is to:

- Approve the hiring of new BTU teacher bargaining unit staff and in-transfer of BTU teachers' bargaining unit staff from other schools in the system and the choice of teachers from the excess pools
- Approve the selection of Lead Teachers, Mentor Teachers, and new athletic coaches.
- Determine the schedule and procedures for reviewing candidates for positions.

Schools must submit the names of the members of the Personnel Subcommittee to the Office of Family and Community Advancement by October 31. For additional information on the Personnel Subcommittee see Circular Fam-4 *Personnel Subcommittee*.

### **SSC Governance and Operations**

The following provisions describe how effective SSC's should operate.

1. SSC operations are governed by a BPS/BTU Joint Steering Committee, which includes parents and students. Any member of the SSC may file a complaint with the Steering Committee concerning the operation of the SSC at his/her school.
2. The SSC is expected to operate as a single decision-making team, working together to reach consensus, as opposed to being individual representatives of specific constituent groups.
3. Formally, decisions made by the SSC will be made by majority vote, with the Principal/Head of School voting with the majority.
4. The Principal/Head of School is required to account in writing and in person (at a subsequent meeting) for any vote in contravention of a majority of the Council.
5. A quorum must be present to vote on issues. To constitute a quorum, the Principal/Head of School must be present as well as at least two teachers and two parents for SSC's with 9-12 members and three teachers and three parents for SSC's with 13 or more members.
6. The Principal/Head of School shall serve as SSC Co-Chair and at the first meeting of the school year; the elected members of the SSC are encouraged to select one member (preferably a parent) to serve as the other Co-Chair.
7. Other roles such as note-taker and any subcommittees shall also be selected at the first SSC meeting of the school year.
8. At the first SSC meeting of the year, a calendar of meetings for the entire school year shall be established – ensuring that the times and dates are convenient for all members.
9. The agenda for the meetings shall be developed by the SSC Co-Chairs with input from other

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10. Each SSC is required to pass by-laws to govern its operations. The by-laws must be approved or amended by two-thirds of the members of the bargaining unit in the school eligible to vote for the SSC and by two-thirds of the parents who come to a parent meeting. There must be at least two weeks' notice for the parent meeting.
11. All SSC meetings are subject to the provisions of the Massachusetts Open Meeting Law, including publicizing meeting dates in advance and sharing meeting notes with the school community.
12. Due to Covid-19 and the recommendations of public health officials, Governor Baker signed an Executive Order suspending certain provisions of Open Meeting law which are still in effect at the writing of this circular. This provision allows for School Parent Councils and School Site Councils to meet remotely, provided that adequate access to the meetings is still available to the public. Please see <https://www.mass.gov/the-open-meeting-law> for more information or current updates.

For additional information on SSC Governance and operations, please contact the Office of Family and Community Advancement or refer to the Shared Decision-Making section of the collective bargaining agreement between BPS and the BTU.

#### **Composition of the SSC**

The SSC shall be composed of:

- The Principal/Head of School,
- Elected members of the BTU who work more than 50% of their workweek at that school
- Parents of children enrolled in that school elected by the School Parent Council
- Two students (high school only) enrolled in that school elected by the Student Government

The specific number of parent and teacher representatives on the SSC is determined by the number of BTU members employed at the school. **The number of parent representatives on the SSC must be equal to the number of BTU representatives, plus the Principal/Head of School.** The tables below demonstrate how the number of teacher and parent representatives are calculated.

<b>BTU SSC Representation</b>	
# of BTU members in school	# of BTU SSC Reps
30 or fewer BTU	4
31 – 60 BTU	5
61 or more BTU	6

<b>Parent SSC representation</b>	
# of BTU SSC Reps	# of Parent SSC Reps
4	5
5	6
6	7

Schools may also select associate (non-voting) SSC members from community-based organizations, higher education, or businesses that partner closely with the school.

Each school shall also elect each year alternate parent, teacher and student members of the SSC to substitute for absent members of their group. Alternate members who are elected by BTU bargaining unit members or parents to substitute for absent members may also fill vacancies created by the resignation or removal of Council members.

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Parents elected as SSC representatives must reflect the racial and ethnic diversity of the student population at the school, and include parents of students participating in a range of educational programs, such as special education and related services and programming for English Language Learners.

For specific information on the election process of BTU representatives, please refer to the Shared Decision-Making section of the collective bargaining agreement between BPS and the BTU.

**SSC Election Procedures for selecting Parent and Student Representatives**

The following are key points for conducting successful elections.

- Principals/Head of Schools should designate an impartial staff person as the school's Election Facilitator. **Elections should not be facilitated by the Principal/Head of School or by a parent currently serving on the SPC Executive Committee or SSC.** The Office of Family and Community Advancement provides training, support, and materials for all Election Facilitators, and can facilitate elections provided that a) a facilitator cannot be identified from within the school community, and b) the school contacts Office of Family and Community Advancement with the election date, time, and location at least two weeks in advance.
- Elections for SSC parent reps should be held at the first School Parent Council (SPC) meeting of the year and conducted at a time that is convenient for parents. The SPC consists of all parents in the school community. See Circular *FAM-1* for additional details.
- Election of student SSC representatives at high schools should be incorporated into schools' student government election process.
- Schools should be prepared to provide translation and interpretation, as well as childcare, at the parent election and at the meetings as needed.
- Parent elections typically take between 30 and 60 minutes, and the Election Facilitator should be prepared to explain the role and purpose of the SPC and SSC, as well as provide an overview of each position and requirements of the election
- Parents or legal guardians of students currently enrolled at the school are eligible to be elected to the SSC. **Note:** parents/legal guardians who work at their child's school cannot serve as the parent representative on the SSC
- Parents may be nominated and elected to serve on both the SSC and the SPC
- All families who are present at the election are allowed one vote per family per elected position. No absentee ballots will be accepted
- Voting may be conducted by secret ballot or by majority vote
- Upon completion of voting, each newly elected parent should complete an Elected Member Information Form and return it to the Election Facilitator.
- After the election, the school is responsible for submitting all election results to the Office of Family and Community Advancement

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July 1, 2021

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### **Relationship between School Parent Council and School Site Council**

The School Parent Council elects parent members to represent the parent voice on the School Site Council. **The SSC representatives are members of the SPC Executive Committee and should attend SPC meetings to provide regular updates on the SSC proceedings to ensure opportunities for parent input and feedback.** All SSC meetings are open to the public therefore, any parent, staff person or community member can attend. However, only the elected representatives can vote on SSC decisions.

### **SSC Reporting**

All BPS schools are required to submit their SSC rosters and materials listed below directly to the Office of Family, Student and Community Advancement by October 31st. Additionally, schools are required to submit the following documents for the purposes of demonstrating compliance with MA Open Meeting Law and BPS policy:

- SPC roster
- SSC roster
- Personnel Subcommittee roster
- SSC meeting calendar for the year
- SSC meeting agendas, monthly
- SSC meeting notes, monthly
- SSC By-laws
- Family Engagement Plan
- Home-School Compact

The first deadline for submitting this documentation is October 31, at which time every school will be assigned one of the following statuses:

- **Fully Functioning:** School has uploaded SSC and SPC roster, as well as **all other** SSC documentation.
- **Reporting:** School has uploaded SSC and SPC roster, with incomplete additional SSC documentation.
- **No Data:** School has not uploaded SSC and SPC roster.

SSC meeting agendas and notes should be submitted on a monthly basis for updated SSC status to be maintained and/or updated

### **Support and Training**

The Office of Family, Student and Community Advancement provides the following supports to schools to help them effectively conduct elections, provide the required documentation and implement effective SSCs throughout the school year:

- Required election materials
- Election facilitation training
- Election facilitation, in the event that the school is not able to identify a facilitator and is able to request an election facilitator at least ten school days in advance
- SSC trainings, in collaboration with the BTU, on topics including SSC Basics, SSC Budget Basics, and Shared Decision-Making
- SSC manuals, including specific tools to support SSC operations and answers to frequently asked questions
- SSC trainings for parents through the BPS Parent University
- SSC trainings for high school students and adult allies
- Ongoing support, coaching, and technical assistance

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### **Relationship between School Parent Council and School Site Council**

The School Site Council elects parent members to represent the parent voice on the School Site Council. The SSC representatives, as members of the SPC Executive Committee, should attend SPC meetings to provide regular updates on the SSC proceedings to ensure opportunities for parent input and feedback. All SSC meetings are open to the public therefore, any parent, staff person or community member can attend. However, only the elected representatives can vote on SSC decisions.

### **Open Meeting Law Requirement**

SSCs serve as the decision-making body of the school and are subject to the Massachusetts Open Meeting Law. According to the law, SSCs must adhere to the following requirements:

- Publicly post both their meeting dates and agendas
- All SSC meetings must be open to the public
- Meeting minutes and notes must be shared, posted and kept in a place at the school where they are accessible

For more information on the MA Open Meeting Law go to [www.mass.gov/ago/government-resources/open-meeting-law/](http://www.mass.gov/ago/government-resources/open-meeting-law/)

### **Alignment with Principal/Head of School Evaluation**

Effective implementation and the authentic engagement of parent, teacher, and student voice align with the following standards of the Massachusetts School Level Administrator Rubric:

- Indicator III-A1. Family Engagement
  - o Engages parents, students, and teachers in creating a welcoming school environment and fostering a shared responsibility engagement.
- Indicator IV-A-3. Professional Culture
  - o Plans and leads well-run and engaging meetings that have a clear purpose, focus on matters of consequence and engage participants in a thoughtful and productive series of conversations and deliberations about important school matters.
- Indicator IV-B1. Policies and Practices
  - o Creates opportunities for authentic parent, student, and teacher voice in school-based decision-making.
- Indicator IV-E-1. Shared Vision Development
  - o Parents, students, and teachers have an opportunity to shape the vision for the school as it pertains to instruction and school climate.
- Indicator IV-F-3. Consensus Building
  - o Decisions are made using a consensus model, in which all members of the SSC have an equal voice.
  - o Resolves conflicts among members of the school community

### **Important Dates**

Date	Activity
September 15	Election Dates Submitted to the Office of Family and Community Advancement
October 15	Deadline for completing elections of all parent, student, and teacher SSC representatives and submission of rosters
October 31	Deadline for conducting first SSC meeting
October 31	Deadline for submitting all required documentation to the Office of Family and Community Advancement
TBA	District-Wide SSC Trainings

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For more information about this circular, contact:

<b>Name:</b>	Monica Roberts, Chief of Family, and Community Advancement
<b>Department:</b>	Office of Family, and Community Advancement
<b>Mailing Address:</b>	2300 Washington Street, Roxbury, MA 02119
<b>Phone:</b>	617-635-7750
<b>E-mail:</b>	<a href="mailto:engagement@bostonpublicschools.org">engagement@bostonpublicschools.org</a>

Brenda Cassellius, Superintendent

## **Responsibilities**

### **Q. What is the School Parent Council?**

A. The School Parent Council is the independently established “voice” of ALL the parents in the school community.

### **Q. What does the School Parent Council Do?**

A. The School Parent Council advocates for the students and the school, meets regularly, elects representatives to sit on the School Site Council, promote an environment of understanding and common purpose among parents.

### **Q. What is the School Site Council?**

A. The School Site Council is the governing/ advisory body at each school. The School Site Council is composed of equal numbers of parents and staff. Parents on the School Site Council are accountable to the School Parent Council and are elected by the School Parent Council of the school.

### **Q. What does the School Site Council do?**

A. The School Site Council reviews and approves school policy, including but not limited to:

- Parent Engagement Plan
- Serving on personnel subcommittee for new teachers
- Reviewing the Whole School Improvement Plan
- Reports back to School Parent Council and the larger parent body on a regular basis

### **Q. What does the School Site Council Representative do?**

A. The School Site Council Representative reviews and approves school policy, fully participates in the meetings, representing the School Parent Council and reporting back to the School Parent Council executive committee.

### **Q. What does the School Parent Council executive committee co-chair (or chairperson) do?**

A. As elected members of the School Parent Council executive committee, co-chairs act as spokespersons for the School Parent Council. Co-chairs also sign off on important documents on behalf of the School Parent Council executive committee with input from the other members, help decide what should be on the meeting agenda, and communicate regularly with the principal or Head of School.

### **Q. What does the Secretary of the School Parent Council executive committee do?**

A. The School Parent Council Secretary takes notes during all general and executive committee meetings, prepares minutes and distributes minutes at meetings. The Secretary is an elected member of the School Parent Council executive committee.

### **Q. What does the Treasurer of the School Parent Council executive committee do?**

A. The Treasurer is responsible for keeping record of all funds raised by, or allocated to the School Parent Council. The Treasurer will prepare written reports regarding School Parent Council financials and distribute to School Parent Council members. The Treasurer is an elected member of the School Parent Council executive committee.

### **Q. What is the City Wide Parent Council?**

A. The City Wide Parent Council is the organization of and by Boston Public Schools (BPS) that involves and empowers parents of BPS students to become effective advocates for their children.



**Q. What does the Citywide Parent Council Representative do?**

- A. The elected members are invited to represent the parent body on the City Wide Parent Council, attend regularly scheduled meetings and develop strategies to address these citywide issues and concerns. Members can then be voted to the CPC board. The City Wide Parent Council Representative will share information gained at City Wide Parent Council meetings with School Parent Council members.

**Q. What is the Boston Parent Advisory Council (BPAC)?**

- A. The mission of the Boston Parent Advisory Council – Title I is to empower all parents of children attending the Boston Public and Private Schools that receive Title I funds to be actively and meaningfully involved in the education of their children. Two parents per school are recruited by Boston Public Schools to serve on the Boston Parent Advisory Council.

**Q. What does the Boston Parent Advisory Council Title I Representative do?**

- A. The Boston Parent Advisory Council - Title I Representative will represent the parent body on the Boston Parent Advisory Council, attend regularly scheduled meetings, learn more about distribution of Title I funds and share the information gained at the Boston Parent Advisory Council meetings with School Parent Council members.

**SSC/SPC Roster**

SCHOOL NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

Please list all members of your School Site Council:

## SPC/SSC ELECTIONS AND PROCEDURES

### PRINCIPAL/Head of School

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### CO-CHAIR

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### TEACHERS

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### PARENT MEMBERS (Please indicate contact information for upcoming training)

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### SCHOOL NAME ALTERNATIVE TEACHERS

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

## SPC/SSC ELECTIONS AND PROCEDURES


### ALTERNATE PARENT MEMBERS

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### ASSOCIATE MEMBERS

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### STUDENT MEMBERS

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### NON-VOTING MEMBERS

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

### SCHOOL NAME

Please list all member of your **School Parent Council Executive Committee**:

### Co-CHAIRS

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

# SPC/SSC ELECTIONS AND PROCEDURES


## SECRETARY

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

## TREASURER

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

## TITLE I REP (BPAC)

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

## CPC REP

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

## SPED PAC

NAME	ADDRESS	PHONE	EMAIL	RACE	HOME LANG	TERM

*Please email this form to the Office of Family and Community Advancement*



## Superintendent's Circular

School Year 2021 - 2022

NUMBER:

FAM-03

DATE:

September 29, 2020

### MIDDLE AND HIGH SCHOOL STUDENT GOVERNMENT

*"As we continue to work at improving the quality of education for all students, it is important that the voice of students be heard at the local, state and national levels."  
Massachusetts Dept. of Elementary and Secondary Education, [www.doe.mass.edu](http://www.doe.mass.edu)*

Every Boston public middle and high school (including district schools, exam schools, and all alternative, pilot, and in-district charter schools) must have a written student engagement policy documenting opportunities for students to assume leadership roles within classrooms and the broader school community, as stated in the BPS 7 Essentials of Whole School Improvement. The student engagement policy should be part of each school's Family Engagement Plan. **As part of this policy, each high school must also have a functioning and engaged student government. Middle schools are encouraged to have a student government.** Student leaders in this body will represent their peers by serving as advisors, researchers and participants in the decision-making process at the school and district level. Student government serves to engage students in learning about democracy and leadership.

**Schools shall strive to form a student government that reflects the diversity of the student population** in terms of race/ethnicity, gender, grade level, educational program (e.g., general, special and bilingual education), and other factors. The number of participants should be dependent on the size of your school and what is manageable for the Advisor. The recommendation is to have 10-15 students serve on Student Government. Small Learning Communities (SLCs) are also encouraged to develop their own student governments, with two representatives from each SLC forming the school wide student government.

The Principal/Head of School, with student input, should appoint one or more faculty advisors to oversee each student government. Student governments can be considered school clubs, and as such Principals/Heads of School are strongly encouraged to pay a stipend to the faculty advisor(s).

**It is the responsibility of every Principal/Head of School to ensure that elections are held and the student government is established no later than October 1.** Once the Student Government is established, each school must send information on the student members, including their BSAC (Superintendent Circular FAM-6) and Greater Boston Regional Student Advisory Council (GBRSAC) representatives and the teacher advisor to the Office of Family and Community Advancement. Please note the Department of Elementary and Secondary Education requires secondary schools host their student elections for their GBRSAC Reps and name be submitted no later than mid April for reps serving the following school year.

**The recommendation is that all student elections be held as one process by April 15 of the current school year for roll out the following school year.** See the Student Elections Toolkit for guidance on facilitating student elections and all the necessary reporting forms.

### MIDDLE SCHOOL LEVEL OVERVIEW

Middle school student governments serve the same functions as high school student governments.

## SPC/SSC ELECTIONS AND PROCEDURES

Middle school is usually the first time that students gain a recognized voice in the school community.

Learning about leadership is a key activity for many middle school student governments. Student government members learn how to research, plan, organize and execute programs and activities for a large number of students. The student government advisor leads student government members in developing their leadership skills.

Some examples include:

*Practicing Democracy:* Governing democratically is a skill students learn during student government. Student Government gives students a hands-on experience in the workings of a democracy and teaches them how to work cooperatively with others. Meetings should be run to promote students' working together for the common good and learning how to put leadership into action.

*Implementing Fundraisers and Activities:* Building school spirit can be one of the responsibilities of the student government. Through school events, such as talent shows, fundraisers and assemblies students, teachers, faculty members and parents come together to help plan these activities throughout the school year and appoint various people to run these functions.

*Addressing Cares and Concerns:* Students will raise issues in school that can best be addressed in student government. Whether it is more nutritious foods served in the cafeteria or issues regarding school spirit days, student government meetings give students a forum for sharing their grievances and analyzing possible solutions to these problems.

## HIGH SCHOOL LEVEL OVERVIEW

**The job of the student government is not to just organize dances or school events.** With faculty and administrative support, student government members should:

- Ensure student voices are heard and incorporated in school decision making through the School Site Council (SSC), and meetings with the administration
- Develop and grow as student leaders by working closely with the faculty advisor(s) and the Head of School
  - Through student government and SSC students can assist in fulfilling the school's mission and design and improve the culture and climate of the school.
  - Student government members should also include:
- 2 students who are elected to serve on **SSC or Governing Board** (one of these students shall also serve on the personnel subcommittee)
- 1-2 representatives to serve on the **Boston Student Advisory Council (BSAC)**. See *Superintendent Circular FAM-6* for more information. Citywide BSAC meetings are coordinated by the Office of Family and Community Advancement and Youth on Board.
- 2 representatives to serve on the **Greater Boston Regional Student Advisory Council**.

It is recommended that Student Government Members be connected to other school based groups such as the School-Based Wellness Council. These positions can be dual roles with other positions on Student Government or

can be stand alone. This is dependent on the student and other commitments. The Advisor should help students think about their time and commitments and what it would mean to take on dual roles on student government.

### **ROLE OF THE FACULTY ADVISOR**

The principal/Head of School will designate one or more faculty advisors to oversee the student government.

The principal/Head of School will include students in the selection process.

#### **The Faculty Advisor(s) will:**

- Meet with the student government at least twice per month and organize at least two retreats per school year
- Act as a liaison between the student government and the Instructional Leadership Team (ILT)
- Assist the student government in managing their events/activities
- Assist student government members with in-school logistics and date approvals
- Assist students in the development of action plans for the school and obtain the appropriate approvals before the plans are implemented
- Track and support members as they complete tasks on the action plans
- Give the principal/Head of School regular updates on how the action plans are being carried out
- Assist the student government in creating the meeting and retreat agendas
- Monitor and record all student work and approvals for proposals and dates
- Develop student leaders by providing training and support as necessary

### **ALIGNMENT with PRINCIPAL/HEAD OF SCHOOL EVALUATION**

Please refer to the Massachusetts Department of Elementary and Secondary Education Educator Evaluation: Appendix B: School-Level Administrator Rubric.

- Indicator III-A1. Family Engagement
  - Engages SG in activities, events and opportunities to create a welcoming environment.
  - Students contribute in the design sharing their knowledge of family and culture.
  - Students evaluate and problem solve with staff and leadership challenges/barriers to including families in school community.
- Indicator IV-B1. Policies and Practices
  - Students participate in an activity identifying the make up of the school.
  - Cultural Sharing day.

## SPC/SSC ELECTIONS AND PROCEDURES

- Students participate on SSC and/or other groups that develop culturally sensitive policies.
- Indicator IV-E-1. Shared Vision Development
  - Students are part of the visioning process through focus groups, surveys, community meetings, etc.
  - Students share in the developing messaging for student body.
- Indicator IV-F-3. Consensus Building
  - Conflict Resolution.
  - Restorative Justice practices.
  - Student Involvement in SSC and decision-making body.

Summary of significant dates and deadlines:

Date	Activity
October 30	Deadline for student government elections to be held
October 30	Deadline for Student Government Roster to be submitted to the Office of Student, Family and Community Advancement

For more information about this circular, contact:



<b>Name:</b>	Monica Roberts
<b>Department:</b>	Office of Family and Community Advancement
<b>Mailing Address:</b>	2300 Washington Street, Roxbury, MA 02119
<b>Phone:</b>	617-635-7750
<b>E-mail:</b>	engagement@bostonpublicschools.org

Dr. Brenda Cassellius, Superintendent

### **Specific Ways to Involve Students**

This tip sheet describes specific ways that schools can involve students in policy, curriculum, governance, and other aspects of school life. There are four ways in which schools are required to involve students: on BSAC, on the School Site Council, in student government, and on design teams. The rest are ideas for expanding and deepening student involvement in all sorts of capacities.

There are two main approaches to student involvement:

1. Involve students directly in an existing adult activity, such as a special task force, school site council, or instructional leadership team.
2. Set up an activity just for students, such as a student advisory board or a peer mediation group.

In some cases, you can incorporate both approaches: for example, have students on an adult task force, but also have a student action forum where students identify important issues the school should address.

There is no “right” approach; you should consider what will work best for your school. The Youth On Board office can help with technical assistance as you develop your plan.

### **Mandatory Ways**

#### **Boston Student Advisory Council (BSAC)**

The job of BSAC is to advise the School Committee on its decision-making process, keep schools informed about relevant citywide issues, and develop projects during the school year. Each school is required to appoint 2 students to serve as members of BSAC.

#### **School Site Council (SSC)**

School site councils are responsible primarily for reviewing and approving the school’s Whole School Improvement Plan and its budget for discretionary items. High schools are required to have 1 voting student member elected by the student body. SSCs may also have non-voting associate members, including additional students.

### **Student Government Association (SGA)**

All schools must have some form of student government. It's important to give students a voice in school issues and a chance to learn leadership and organizational skills.

### **Design Teams**

Students must be included on design teams if a school has them. It's mandatory that students stay on the team as long as it exists.

### **Student Advisory Boards**

Student advisory boards have no governing authority but serve an official advisory capacity within a school, offering regular feedback and advice on student issues. Students are uniquely qualified to advise a school on the issues that concern them.

### **Task Forces/Action Forums**

Task forces are short-term entities created to complete a special project (such as renovating the gym facilities) or to address an urgent problem (such as violence at school). Often task forces are organized when a school is given funding to be used for a specific purpose. These can be student groups or mixed groups of students and adults.

### **Policy Committees**

Students can take part in advising the school on specific policies regarding curricula, academic codes, hiring, budgeting, or other pertinent issues. Like student advisory boards, policy committees have an official, institutionalized role even though they do not necessarily create or implement policy.

### **Head of School Advisory Boards**

If you're a Head of School, you can form an advisory board by asking 3 or 4 students whom you respect to help you process the issues you encounter in your position. Ask them to give you good advice about how things are going in the school and how you can do your job better. Lead teachers or other school leaders can also form personal advisory boards.

### **Staff**

Students can be great staff members. Think about how your school can hire them. Students can be given the responsibility of planning an event or program, or acting as peer leaders in school activities.

### **Hiring Team**

Have students help you hire new teachers and staff members. In the final phases of the interviewing process, it's very important to find out if a prospective teacher can relate well to

students—and who better than students themselves to rate a candidate’s abilities in this area. Students don’t have the final say on hiring decisions (unless you want them to), but they can offer invaluable input.

### **Peer Mediators**

Students trained in mediation can negotiate conflicts among their peers. Mediators help their fellow students by offering a peer perspective on difficult issues, and also improve their own conflict resolution skills in the process.

### **Instructional Leadership Team (ILT)**

Some schools have had great success involving students in ILTs. You can have students be full, participating members of ILTs or invite them to meetings on specific topics.

### **Mentors**

Students can serve as mentors to others.

Students mentoring younger students. A junior or senior can be a great mentor to an incoming freshman. Mentors can teach younger students life skills, give advice on upcoming years in school, help with homework, or just be a friend.

Students mentoring adults. Students and adults can meet regularly and share their knowledge, or have a one-time meeting where students teach adults about school issues or student life (such as current slang, favorite music, fashion trends).

### **Advocates**

Students can be powerful advocates for student involvement, as well as for other changes that students want in policy or governance. It makes a big difference for a student to say what students think; adults tend to listen to student advocates in a different way than we listen to each other. Student advocates can attend School Committee meetings and make presentations or proposals about their ideas.

### **Public Speakers**

Student speakers can make informative presentations or share compelling stories from their schools. These experts on student issues can be called upon to speak at conferences and events.

### **Trainers**

Student trainers can train other students and/or adults. For instance, students can lead training around a special curriculum, such as interpersonal violence or environmental issues.



## Fundraising

Get students involved in fundraising for your school. Ask students for their input on grants that you're writing, and have students be available to answer questions when foundations come to the school for site visits.

## For More Information

Visit the Youth On Board Web site at [www.youthonboard.org](http://www.youthonboard.org) for more information about our work or to order our publication *14 Points: Successfully Involving Young People in Decision-making*.

SCHOOL \_\_\_\_\_

INSTRUCTIONS: Congratulations on your election as a member of your school's Student Government. Please fill out the information below and return it to your advisor. We want to keep you informed on information and events about the Boston Public Schools. Thank you and good luck to your entire Student Government.

**PLEASE PRINT CLEARLY SO WE CAN RECORD YOUR INFORMATION CORRECTLY.**

LAST NAME \_\_\_\_\_

FIRST NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY/TOWN \_\_\_\_\_ ZIP CODE \_\_\_\_\_

PHONE (day) \_\_\_\_\_ (evening) \_\_\_\_\_

Email Address \_\_\_\_\_ Grade \_\_\_\_\_

PRIMARY LANGUAGE \_\_\_\_\_

## Section

# 6



## **APPENDIX B: SAMPLE SSC DOCUMENTS**

---

What position(s) will you represent? PLEASE CHECK ALL THAT APPLY:

\_\_\_\_\_President                      \_\_\_\_\_Vice-President                      \_\_\_\_\_School Site Council Rep  
\_\_\_\_\_Secretary                      \_\_\_\_\_BSAC Representative  
\_\_\_\_\_Treasurer                      \_\_\_\_\_Other:\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ School-Site Council  
(Name of School)

## Bylaws

### Article I

#### **Name, Purpose, and Authority**

- Section 1. **Name.** The name of the School-Site Council (SSC) shall be the \_\_\_\_\_ SSC.
- Section 2. **Purpose.** The purpose of the SSC shall be to serve as the central governing body of the school under the school-based management/shared decision-making model.
- Section 3. **Authority.** The SSC shall be established and conduct its affairs in conformance with Article III "School-Based Management and Shared Decision-making," contained in the Collective Bargaining Agreement between the Boston School Committee (BSC) and the Boston Teachers Union (BTU).

### Article II

#### **SSC Members, Terms, and Meetings**

- Section 1. **Number** - The number of members and composition of the SSC shall be consistent with the provisions of Article III of the Agreement and with the guidelines contained in Deputy Superintendent's Memorandum, "Establishment of School-Site Councils." The number of parents elected to the SSC shall equal the number of professional educators, including the Principal/Head of School elected to the Council.
- Section 2. **Election of SSC Members** - Representatives of the SSC shall be elected as early in the school year as possible and the first SSC meeting held no later than October 31.

Election of SSC members shall be by secret ballot.

Special attention will be given to the election of parent and BTU representatives who reflect the racial/ethnic diversity of the school community. Under the Agreement, the following racial/ethnic groups shall be recognized in the election and composition of the School Site Council: African American/Black, American Indian, Asian American/Pacific Islander, Hispanic, and White.

a) **Principal/Head of School** - The Principal/Head of School shall automatically be a member of the SSC by virtue of his/her position and shall serve as one of the two Co-Chairpersons.

b) **BTU Representatives** - An election of BTU bargaining unit representatives to the Council shall be held in the fall. The election process as defined in the Article III of the Agreement shall be used for the election of BTU representatives to the Council.

c) **Parent Representatives** - On or before October 1, the SSC shall schedule a parent orientation session. The purpose of the session shall be:

- To orient new parents to the school;
- To inform all parents about the school's programs;
- To publicize the School-Site Council and its activities; and
- To encourage parents to stand for election to the SSC.

Two weeks' notice shall be given to parents for the orientation session.

Parent representatives shall be elected from among parents of students currently enrolled in the school. The Principal/Head of School shall assist the School Parent Council and other parent organizations at the school in organizing and running the election of parent representatives that shall be held after the election of BTU representatives.

d) **Student Members (High Schools Only)** - The SSC shall include two students elected by the student body to represent all students on the SSC.

e) **Associate Members** - The SSC shall elect individuals to serve as associate members. Associate members shall not have voting rights, but shall have voice in Council deliberations, including the making of motions, and shall otherwise

participate in SSC meetings and activities. The number of associate members shall not comprise more than fifty percent (50%) of the total SSC membership.

f) **Alternate Members** - Parent and BTU alternate members shall be elected by their constituent group and shall substitute for absent members of their same racial/ethnic group. Alternates shall be voting members at meetings where their presence is necessary to have a quorum.

- Section 3. **Terms of Office** - *Each SSC establishes the terms of office for its members. Every year at least one parent and one BTU member must be replaced by a new member.*
- Section 4. **Vacancy** - Alternates of the same racial/ethnic group shall be used to fill vacancies created by resignation or removal of a SSC member.
- Section 5. **Regular Meetings** - Regular meetings of the SSC shall be held monthly at such times and place as shall be fixed by consensus of the SSC.
- Section 6. **Notice of Meetings** - SSC meetings are subject to the state Open Meeting Law requiring the posting of each meeting notice at least 48 hours prior to the meeting at a public place. In addition, the SSC shall provide all faculty and parents with a listing of all meetings for the year and the school community informed of SSC actions.
- Section 7. **Quorum** - To constitute a quorum of members at a Council meeting, the Principal/ Head of School must be present as well as at least two teachers and two parents for Councils with 9 to 12 voting members or at least three teachers and three parents for Council with 13 or more voting members.
- Section 8. **Resignation** - Any SSC member may resign at any time by delivering his/her resignation in writing to the SSC Co-Chairpersons. Such resignation shall be effective upon receipt and acceptance thereof shall not be necessary to make it effective unless it so states.
- Section 9. **Absences** - If a member is regularly absent from monthly meetings over the course of a school year, that member shall be removed from the Council and be replaced by an alternate.

## Article III

### **Officers**

- Section 1. **Officers** - The officers of the SSC shall be two Co-Chairpersons, Clerk, Communications Liaison and such other officers as the members may from time to



time determine.

- Section 2. **Election of Officers** - The Principal/Head of School shall serve as one of the Co-Chairpersons of the Council. All other officers shall be elected by the members at the first fall meeting of the SSC held after the fall SSC member election. With the exception of the Principal/Head of School officers shall serve for the term of one year, or until their successor shall be elected.
- Section 3. **Co-Chairpersons** - The Co-Chairpersons shall preside at all meetings of the SSC unless they otherwise designate other members to preside. The Co-Chairpersons shall perform and oversee the duties and tasks necessary for the effective functioning of the SSC including, but not limited to, development and distribution of meeting agenda, giving notice of SSC meetings, serving on subcommittees, and providing timely information to SSC members about the school budget, personnel, and programs. The Co-Chairpersons shall also perform such other duties as the SSC shall from time to time designate.
- Section 4. **Clerk** - The Clerk shall keep accurate minutes of all meetings for distribution to SSC members and the wider school community. The minutes, including the attendance of members, shall be both filed and posted in the school office for review by interested parties. The Clerk shall perform such other duties and have such other powers as the SSC members shall from time to time designate.
- Section 5. **Communications Liaison** - The Communications Liaison shall receive and distribute informational materials.

## Article IV

### **Committees of the SSC**

- Section 1. **Committees of the SSC** - *The SSC may elect from their own members or otherwise as they may determine, committees to undertake tasks on behalf of the SSC. The number, powers, and term of any such committee shall be determined by the SSC.*
- Section 2. **Personnel Subcommittee** - The SSC shall establish a Personnel Subcommittee for the purposes required in the Article III of the Agreement. The actions of the Personnel Subcommittee are not subject to the approval of the SSC.

Article V

**Bylaw Approval and Amendments**

These bylaws shall be approved and/or amended by two-thirds of BTU members in the school eligible to vote and by two-thirds of the parents who are present at a parent meeting. There must be at least two weeks’ notice for the parent meeting. The bylaws may be approved at the same time that the SSC elections are held.

\_\_\_\_\_ **School-Site Council Meeting**  
(Name of School)

Meeting Location:  
Date:  
Time:

***Meeting Agenda***

Time	AGENDA ITEM	Member	Materials/Handouts


## School Site Council Meeting Minutes

School Name:		Date:
Start Time:	End Time:	Location:
Members Present:		
Members Absent:		
Meeting Objectives:		
Discussion Highlights:		
Action Taken:		

## Section

# 7



## APPENDIX C: LEGAL DOCUMENTS

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Next Steps:	
Meeting Recorder:	Next Meeting Date/Time:

Please keep a copy of this form on file in the main office and submit a copy to:

Office of Student, Family & Community Advancement - mail cluster 14  
 445 Warren Street  
 Dorchester, MA 02125

## CHAPTER 71. PUBLIC SCHOOLS

### SCHOOL COMMITTEES

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#### **Chapter 71: Section 59C. School councils\*, members, meetings, duties**

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Section 59C. At each public elementary, secondary and independent vocational school in the commonwealth there shall be a school council consisting of the school principal, who shall co-chair the council; parents of students attending the school who shall be selected by the parents of students attending such school who will be chosen in elections held by the local recognized parent teacher organization under the direction of the principal, or if none exists, chosen by a representative process approved by the school committee. Said parents shall have parity with professional personnel on the school councils; teachers who shall be selected by the teachers in such school; other persons, not parents or teachers of students at the school, drawn from such groups or entities as municipal government, business and labor organizations, institutions of higher education, human services agencies or other interested groups including those from school age child care programs; and for schools containing any of the grades nine to twelve, at least one such student; provided, however, that not more than fifty percent of the council shall be non-school members. The principal, except as otherwise provided herein, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the superintendent and school committee and for convening the first meeting no later than forty days after the first day of school, at which meeting a co-chairman shall be selected. School councils should be broadly representative of the racial and ethnic diversity of the school building and community. For purposes of this paragraph the term "non-school members" shall mean those members of the council, other than parents,

teachers, students and staff of the school.

Nothing contained in this section shall require a new school council to be formed if an existing school council fulfills the intent of this section, the parent and teacher members thereof were selected in a manner consistent with the provisions of this section and the membership thereof complies with the aforesaid fifty percent requirement.

Meetings of the school council shall be subject to the provisions of sections twenty-three A, twenty-three B and twenty-three C of chapter thirty-nine.

The school council, including the school principal, shall meet regularly and shall assist in the identification of the educational needs of the students attending the school, make recommendations to the principal for the development, implementation and assessment of the curriculum accommodation plan required pursuant to section 38Q½, shall assist in the review

of the annual school budget and in the formulation of a school improvement plan, as provided below. Parent advisory councils, established under section 3 of chapter 71A, may, at their request, meet at least once annually with the school council.

The principal of each school, in consultation with the school council established pursuant to this section, shall on an annual basis, in conformity with the provisions of section 1I of chapter 69, develop and submit for approval by the district superintendent a plan for improving student performance. Said plan shall be prepared in a manner and form prescribed by the department of education and shall conform to any policies and practices of the district consistent therewith.

Nothing contained in this section shall prevent the school committee from granting a school council additional authority in the area of educational policy; provided, however, that school councils shall have no authority over matters that are subject to chapter one hundred and fifty E.

**\*Please also refer to the BCS/BTU Collective Bargaining Agreement, which details additional language that is specific to BPS concerning School Councils.**

### **Massachusetts Open Meeting Law**

#### **PART I. ADMINISTRATION OF THE GOVERNMENT**

#### **TITLE III. LAWS RELATING TO STATE OFFICERS**

#### **CHAPTER 30A. STATE ADMINISTRATIVE PROCEDURE**

#### **Chapter 30A: Section 20: Meetings of a Public Body to be Open to the Public; Notice of Meeting; Remote Participation; Recording and Transmission of Meeting; Removal of Persons for Disruption of Proceedings**

(a) Except as provided in section 21, all meetings of a public body shall be open to the public.

(b) Except in an emergency, in addition to any notice otherwise required by law, a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays. In an emergency, a public body shall post notice as soon as reasonably possible prior to such meeting. Notice shall be printed in a legible, easily understandable format and shall contain the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting.

(c) For meetings of a local public body, notice shall be filed with the municipal clerk and posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located. For meetings of a regional or district public body, notice shall be filed and posted in each city or town within the region or district in the manner prescribed for local public bodies. For meetings of a regional school district, the secretary of

the regional school district committee shall be considered to be its clerk and shall file notice with the clerk of each city or town within such district and shall post the notice in the manner prescribed for local public bodies. For meetings of a county public body, notice shall be filed in the office of the county commissioners and a copy of the notice shall be publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for the purpose. For meetings of a state public body, notice shall be filed with the attorney general by posting on a website under the procedures established for this purpose and a duplicate copy of the notice shall be filed with the regulations division of the state secretary's office. The attorney general may prescribe or approve alternative methods of notice where the attorney general determines the alternative methods will afford more effective notice to the public.

(d) The attorney general may by regulation or letter ruling, authorize remote participation by members of a public body not present at the meeting location; provided, however, that the absent members and all persons present at the meeting location are clearly audible to each other; and provided, further, that a quorum of the body, including the chair, are present at the meeting location. The authorized members may vote and shall not be deemed absent for the purposes of section 23D of chapter 39.

(e) A local commission on disability may by majority vote of the commissioners at a regular meeting permit remote participation applicable to a specific meeting or generally to all of the commission's meetings; provided, however, that the commission shall comply with all other requirements of law and regulation.

(f) After notifying the chair of the public body, any person may make a video or audio recording of an open session of a meeting of a public body, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. At the beginning of the meeting the chair shall inform other attendees of any recordings.

(g) No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.

(h) Within 2 weeks of qualification for office, all persons serving on a public body shall certify, on a form prescribed by the attorney general, the receipt of a copy of the open meeting law, regulations promulgated under section 25 and a copy of the educational materials prepared by the attorney general explaining the open meeting law and its application pursuant to section 19. Unless otherwise directed or approved by the attorney general, the appointing authority, city



or town clerk or the executive director or other appropriate administrator of a state or regional body, or their designees, shall obtain certification from each person upon entering service and shall retain it subject to the applicable records retention schedule where the body maintains its official records. The certification shall be evidence that the member of a public body has read and understands the requirements of the open meeting law and the consequences of violating it

## **Section 21. EXECUTIVE SESSIONS**

(a) A public body may meet in executive session only for the following purposes:

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. The individual to be discussed in such executive session shall be notified in writing by the public body at least 48 hours prior to the proposed executive session; provided, however, that notification may be waived upon written agreement of the parties. A public body shall hold an open session if the individual involved requests that the session be open. If an executive session is held, such individual shall have the following rights:
  - i. to be present at such executive session during deliberations which involve that individual;
  - ii. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
  - iii. to speak on his own behalf; and iv. to cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense. The rights of an individual set forth in this paragraph are in addition to the rights that he may have from any other source, including, but not limited to, rights under any laws or collective bargaining agreements and the exercise or non-exercise of the individual rights under this section shall not be construed as a waiver of any rights of the individual.
2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;
5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;

6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;
9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that: (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or
10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to section 1F of chapter 164, in the course of activities conducted as a municipal aggregator under section 134 of said chapter 164 or in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to section 136 of said chapter 164, when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.



## Superintendent's Circular

School Year 2020 - 2021

NUMBER:

LGL-19

DATE:

September 6, 2020

(b) A public body may meet in closed session for 1 or more of the purposes enumerated in subsection (a) provided that:

1. the body has first convened in an open session pursuant to section 21;
2. a majority of members of the body have voted to go into executive session and the vote of each member is recorded by roll call and entered into the minutes;
3. before the executive session, the chair shall state the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called;
4. the chair shall publicly announce whether the open session will reconvene at the conclusion of the executive session; and
5. accurate records of the executive session shall be maintained pursuant to section 23.

### CONFLICT OF INTEREST LAW - CITY EMPLOYEES

Attached you will find a copy of the "Summary of the Conflict of Interest Law for Municipal Employees," which outlines the standards of ethics and conduct for all city employees. This summary was prepared and issued by the State Ethics Commission, the state entity charged with enforcing Massachusetts' conflict of interest law, M.G.L. c. 268A.

Copies of this Summary should be distributed to all staff and School-Site Council members on an annual basis. It may also be found here:

All staff should be encouraged to read and be familiar with the law so that we all carry out our obligations honestly and fairly, and so that our actions are above reproach. Please use the attachment to this circular to make copies for your staff and School-Site Council.

Annually, every City employee is required by law to sign the acknowledgment of receipt of the attached summary via The Hub. In the alternative, the employee may return the signed acknowledgement to their supervisor for submission to the Office of Human Resources.

Furthermore, every 2 years, all current state, county, and municipal employees must complete online ethics training through the State Ethics Commission. New public employees must complete this training within 30 days of beginning public service, and every 2 years thereafter. Upon completing the program, employees should print out the completion certificate, keep a

copy for themselves, and provide a copy of the completion certificate to Human Resources. The online training can be found at:

<https://www.mass.gov/how-to/complete-the-online-training-program-for-municipal-employees>

For specific questions regarding employment and/or individual activity under the conflict of interest laws should be directed to the Office of Legal Advisor.

For more information about this circular, contact:

<b>Name:</b>	Catherine Lizotte
<b>Department:</b>	Office of Legal Advisor
<b>Mailing Address:</b>	2300 Washington Street, Roxbury, MA 02119
<b>Phone:</b>	617-635-9320
<b>Fax:</b>	617-635-9317
<b>E-mail:</b>	clizotte@bostonpublicschools.org

Dr. Brenda Cassellius, Superintendent

## Summary of the Conflict of Interest Law for Municipal Employees

All municipal employees must be provided with this summary of the conflict of interest law annually.

All city and town employees must be provided with this Summary of the Conflict of Interest Law for Municipal Employees within 30 days of hire or election, and then annually. All city and town employees are then required to acknowledge in writing that they received the summary.

**This summary of the conflict of interest law, General Laws chapter 268A, is intended to help municipal employees understand how that law applies to them.**

This summary is not a substitute for legal advice, nor does it mention every aspect of the law that may apply in a particular situation. Municipal employees can obtain free confidential advice about the conflict of interest law from the Commission's Legal Division at our website, phone number, and address above. Municipal counsel may also provide advice.

The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what municipal employees may do on the job, after hours, and after leaving public service, as described below. The sections referenced below are sections of G.L. c. 268A.

When the Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to \$ 10,000 (\$25,000 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage he gained by the violation, and to make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

**1. Are you a municipal employee for conflict of interest law purposes?**

You do not have to be a full- time, paid municipal employee to be considered a municipal employee for conflict of interest purposes. Anyone performing services for a city or town or holding a municipal position, whether paid or unpaid, including full- and part-time municipal employees, elected officials, volunteers, and consultants, is a municipal employee under the conflict of interest law. An employee of a private firm can also be a municipal employee, if the private firm has a contract with the city or town and the employee is a “key employee” under the contract, meaning the town has specifically contracted for her services. The law also covers private parties who engage in impermissible dealings with municipal employees, such as offering bribes or illegal gifts. Town meeting members and charter commission members are not municipal employees under the conflict of interest law.

**2. On-the-job restrictions**

**(a) Bribes. Asking for and taking bribes is prohibited. (See Section 2)**

A bribe is anything of value corruptly received by a municipal employee in exchange for the employee being influenced in his official actions. Giving, offering, receiving, or asking for a bribe is illegal.

Bribes are more serious than illegal gifts because they involve corrupt intent. In other words, the municipal employee intends to sell his office by agreeing to do or not do some official act, and the giver intends to influence him to do so. Bribes of any value are illegal.

**(b) Gifts and gratuities. Asking for or accepting a gift because of your official position, or because of something you can do or have done in your official position, is prohibited. (See Sections 3, 23(b)(2), and 26)**

Municipal employees may not accept gifts and gratuities valued at \$50 or more given to influence their official actions or because of their official position. Accepting a gift intended to reward past official action or to bring about future official action is illegal, as is giving such gifts. Accepting a gift given to you because of the municipal position you hold is also illegal. Meals, entertainment event tickets, golf, gift baskets, and payment of travel expenses can all be illegal gifts if given in connection with official action or position, as can anything worth \$50 or more. A number of smaller gifts together worth \$50 or more may also violate these sections.

*Example of violation:* A town administrator accepts reduced rental payments from developers.

*Example of violation:* A developer offers a ski trip to a school district employee who oversees the developer's work for the school district.

**Regulatory exemptions.** There are situations in which a municipal employee's receipt of a gift does not present a genuine risk of a conflict of interest, and may in fact advance the public interest. The Commission has created exemptions permitting giving and receiving gifts in these situations. One commonly used exemption permits municipal employees to accept payment of travel-related expenses when doing so advances a public purpose. Another commonly used exemption permits municipal employees to accept payment of costs involved in attendance at educational and training programs. Other exemptions are listed on the Commission's website.

*Example where there is no violation:* A fire truck manufacturer offers to pay the travel expenses of a fire chief to a trade show where the chief can examine various kinds of fire-fighting equipment that the town may purchase. The chief fills out a disclosure form and obtains prior approval from his appointing authority.

*Example where there is no violation:* A town treasurer attends a two-day annual school featuring multiple substantive seminars on issues relevant to treasurers. The annual school is paid for in part by banks that do business with town treasurers. The treasurer is only required to make a disclosure if one of the sponsoring banks has official business before her in the six months before or after the annual school.

**(c) Misuse of position. Using your official position to get something you are not entitled to, or to get someone else something they are not entitled to, is prohibited. Causing someone else to do these things is also prohibited. (See Sections 23(b)(2) and 26)**

A municipal employee may not use her official position to get something worth \$50 or more that would not be properly available to other similarly situated individuals. Similarly, a municipal employee may not use her official position to get something worth \$50 or more for someone else that would not be properly available to other similarly situated individuals. Causing someone else to do these things is also prohibited.

*Example of violation:* A full-time town employee writes a novel on work time, using her office computer, and directing her secretary to proofread the draft.

*Example of violation:* A city councilor directs subordinates to drive the councilor's wife to and from the grocery store.

*Example of violation:* A mayor avoids a speeding ticket by asking the police officer who stops him, "Do you know who I am?" and showing his municipal I.D.

**(d) Self-dealing and nepotism. Participating as a municipal employee in a matter in which you, your immediate family, your business organization, or your future employer has a financial interest is prohibited. (See Section 19)**

A municipal employee may not participate in any particular matter in which he or a member of his immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. He also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee has a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else

A financial interest may create a conflict of interest whether it is large or small, and positive or negative. In other words, it does not matter if a lot of money is involved or only a little. It also does not matter if you are putting money into your pocket or taking it out. If you, your immediate family, your business, or your employer have or has a financial interest in a matter, you may not participate. The financial interest must be direct and immediate or reasonably foreseeable to create a conflict. Financial interests which are remote, speculative or not sufficiently identifiable do not create conflicts.

**Example of violation:** A school committee member's wife is a teacher in the town's public schools. The school committee member votes on the budget line item for teachers' salaries.

**Example of violation:** A member of a town affordable housing committee is also the director of a non-profit housing development corporation. The non-profit makes an application to the committee, and the member/director participates in the discussion.

**Example:** A planning board member lives next door to property where a developer plans to construct a new building. Because the planning board member owns abutting property, he is presumed to have a financial interest in the matter. He cannot participate unless he provides the State Ethics Commission with an opinion from a qualified independent appraiser that the new construction will not affect his financial interest.

In many cases, where not otherwise required to participate, a municipal employee may comply with the law by simply not participating in the particular matter in which she has a financial interest. She need not give a reason for not participating.

There are several exemptions to this section of the law. An appointed municipal employee may file a written disclosure about the financial interest with his appointing authority and seek permission to participate notwithstanding the conflict. The appointing authority may grant written permission if she determines that the financial interest in question is not so substantial that it is likely to affect the integrity of his services to the municipality. Participating without disclosing the financial interest is a violation. Elected employees cannot use the disclosure procedure because they have no appointing authority.



***Example where there is no violation:*** An appointed member of the town zoning advisory committee, which will review and recommend changes to the town's by-laws with regard to a commercial district, is a partner at a company that owns commercial property in the district. Prior to participating in any committee discussions, the member files a disclosure with the zoning board of appeals that appointed him to his position, and that board gives him a written determination authorizing his participation, despite his company's financial interest. There is no violation.

There is also an exemption for both appointed and elected employees where the employee's task is to address a matter of general policy and the employee's financial interest is shared with a substantial portion (generally 10% or more) of the town's population, such as, for instance, a financial interest in real estate tax rates or municipal utility rates.

**Regulatory exemptions.** In addition to the statutory exemptions just mentioned, the Commission has created several regulatory exemptions permitting municipal employees to participate in particular matters notwithstanding the presence of a financial interest in certain very specific situations when permitting them to do so advances a public purpose. There is an exemption permitting school committee members to participate in setting school fees that will affect their own children if they make a prior written disclosure. There is an exemption permitting town clerks to perform election-related functions even when they, or their immediate family members, are on the ballot, because clerks' election-related functions are extensively regulated by other laws. There is also an exemption permitting a person serving as a member of a municipal board pursuant to a legal requirement that the board have members with a specified affiliation to participate fully in determinations of general policy by the board, even if the entity with which he is affiliated has a financial interest in the matter. Other exemptions are listed in the Commission's regulations, available on the Commission's website.

***Example where there is no violation:*** A municipal Shellfish Advisory Board has been created to provide advice to the Board of Selectmen on policy issues related to shellfishing. The Advisory Board is required to have members who are currently commercial fishermen. A board member who is a commercial fisherman may participate in determinations of general policy in which he has a financial interest common to all commercial fishermen, but may not participate in determinations in which he alone has a financial interest, such as the extension of his own individual permits or leases.

**(e) False claims. Presenting a false claim to your employer for a payment or benefit is prohibited, and causing someone else to do so is also prohibited. (See Sections 23(b)(4) and 26)**

A municipal employee may not present a false or fraudulent claim to his employer for any payment or benefit worth \$50 or more, or cause another person to do so.



Example of violation: A public works director directs his secretary to fill out time sheets to show him as present at work on days when he was skiing.

**(f) Appearance of conflict. Acting in a manner that would make a reasonable person think you can be improperly influenced is prohibited. (See Section 23(b)(3))**

A municipal employee may not act in a manner that would cause a reasonable person to think that she would show favor toward someone or that she can be improperly influenced. Section 23(b)(3) requires a municipal employee to consider whether her relationships and affiliations could prevent her from acting fairly and objectively when she performs her duties for a city or town. If she cannot be fair and objective because of a relationship or affiliation, she should not perform her duties. However, a municipal employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.

*Example where there is no violation:* A developer who is the cousin of the chair of the conservation commission has filed an application with the commission. A reasonable person could conclude that the chair might favor her cousin. The chair files a written disclosure with her appointing authority explaining her relationship with her cousin prior to the meeting at which the application will be considered. There is no violation of Sec. 23(b)(3).

**(g) Confidential information. Improperly disclosing or personally using confidential information obtained through your job is prohibited. (See Section 23(c))**

Municipal employees may not improperly disclose confidential information, or make personal use of non-public information they acquired in the course of their official duties to further their personal interests.

**3. After-hours restrictions.**

**(a) Taking a second paid job that conflicts with the duties of your municipal job is prohibited. (See Section 23(b)(1))**

A municipal employee may not accept other paid employment if the responsibilities of the second job are incompatible with his or her municipal job.

*Example:* A police officer may not work as a paid private security guard in the town where he serves because the demands of his private employment would conflict with his duties as a police officer.

**(b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether**

**or not you are paid. (See Sec. 17)**

Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the town has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman.

A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

**Example of violation:** A full-time health agent submits a septic system plan that she has prepared for a private client to the town's board of health.

**Example of violation:** A planning board member represents a private client before the board of selectmen on a request that town meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the town or receive small stipends. Others, such as a private attorney who provides legal services to a town as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees.

The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in towns of 10,000 or fewer are automatically "special"; selectman in larger towns cannot be "specials."

If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal

boards other than his own, provided that he has not officially participated in the matter, and the

matter is not now, and has not within the past year been, under his official responsibility.

**Example:** A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

**Example:** A member who sits as an alternate on the conservation commission is a special municipal employee. Under town bylaws, he only has official responsibility for matters assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it.

**(c) Inside track. Being paid by your city or town, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 20)**

A municipal employee generally may not have a financial interest in a municipal contract, including a second municipal job. A municipal employee is also generally prohibited from having an indirect financial interest in a contract that the city or town has with someone else. This provision is intended to prevent municipal employees from having an “inside track” to further financial opportunities.

**Example of violation:** Legal counsel to the town housing authority becomes the acting executive director of the authority, and is paid in both positions.

**Example of violation:** A selectman buys a surplus truck from the town DPW.

**Example of violation:** A full-time secretary for the board of health wants to have a second paid job working part-time for the town library. She will violate Section 20 unless she can meet the requirements of an exemption.

**Example of violation:** A city councilor wants to work for a non-profit that receives funding under a contract with her city. Unless she can satisfy the requirements of an exemption under Section 20, she cannot take the job.

**There are numerous exemptions.** A municipal employee may hold multiple unpaid or elected positions. Some exemptions apply only to special municipal employees. Specific exemptions may cover serving as an unpaid volunteer in a second town position, housing-related benefits, public safety positions, certain elected positions, small towns, and other specific situations. Please call the Ethics Commission’s Legal Division for advice about a specific situation.

**4. After you leave municipal employment. (See Section 18)**

**(a) Forever ban. After you leave your municipal job, you may never work for anyone other than the municipality on a matter that you worked on as a municipal employee.**

If you participated in a matter as a municipal employee, you cannot ever be paid to work on that same matter for anyone other than the municipality, nor may you act for someone else, whether paid or not. The purpose of this restriction is to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to their former municipal employer. The restriction does not prohibit former municipal employees from using the expertise acquired in government service in their subsequent private activities.

*Example of violation:* A former school department employee works for a contractor under a contract that she helped to draft and oversee for the school department.

**(b) One year cooling-off period. For one year after you leave your municipal job you may not participate in any matter over which you had official responsibility during your last two years of public service.**

Former municipal employees are barred for one year after they leave municipal employment from personally appearing before any agency of the municipality in connection with matters that were under their authority in their prior municipal positions during the two years before they left.

*Example:* An assistant town manager negotiates a three-year contract with a company. The town manager who supervised the assistant, and had official responsibility for the contract but did not participate in negotiating it, leaves her job to work for the company to which the contract was awarded. The former manager may not call or write the town in connection with the company's work on the contract for one year after leaving the town.

A former municipal employee who participated as such in general legislation on expanded gaming and related matters may not become an officer or employee of, or acquire a financial interest in, an applicant for a gaming license, or a gaming licensee, for one year after his public employment ceases.

**(c) Partners. Your partners will be subject to restrictions while you serve as a municipal employee and after your municipal service ends.**

Partners of municipal employees and former municipal employees are also subject to restrictions under the conflict of interest law. If a municipal employee participated in a matter, or if he has official responsibility for a matter, then his partner may not act on behalf of anyone other than the municipality or provide services as an attorney to anyone but the city or town in relation to the matter.

**Example:** While serving on a city's historic district commission, an architect reviewed an application to get landmark status for a building. His partners at his architecture firm may not prepare and sign plans for the owner of the building or otherwise act on the owner's behalf in relation to the application for landmark status. In addition, because the architect has official responsibility as a commissioner for every matter that comes before the commission, his partners may not communicate with the commission or otherwise act on behalf of any client on any matter that comes before the commission during the time that the architect serves on the commission.

**Example:** A former town counsel joins a law firm as a partner. Because she litigated a lawsuit for the town, her new partners cannot represent any private clients in the lawsuit for one year after her job with the town ended.

\*\*\*\*\*

This summary is not intended to be legal advice and, because it is a summary, it does not mention every provision of the conflict law that may apply in a particular situation. Our website, <http://www.mass.gov/ethics> contains further information about how the law applies in many situations. You can also contact the Commission's Legal Division via our website, by telephone, or by letter. Our contact information is at the top of this document.

Version 7: Revised November 14, 2016

## Section

# 8



## APPENDIX D: WAIVER DOCUMENTS

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## Acknowledgement of Receipt of Summary of the Conflict of Interest Law for Municipal Employees

I, (print your first and last name): \_\_\_\_\_ ,

an employee at

(name of your municipal agency or department): \_\_\_\_\_ ,

hereby acknowledge that I received a copy of the summary of the conflict of interest law for municipal employees, revised November 14, 2016,

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Municipal employees should complete the acknowledgment of receipt and return it to the individual who provided them with a copy of the summary. Alternatively, municipal employees may send an email acknowledging receipt of the summary to the individual who provided them with a copy of it.

## WAIVER REPORTING FORM

(Please type and forward to the Center for Leadership development within five days of adoption of waiver.)

SCHOOL: \_\_\_\_\_ LEVEL: \_\_\_\_\_

Check area of waiver:

- Timing and length of the school day and year
- Amount of time a teacher spends teaching each week
- Class size
- Number, time, and place of teacher-parent meetings
- Number, use, and scheduling of In-service, planning, professional development, and other staff meetings
- Number, use, and scheduling of planning and development and administrative periods
- Non-teaching duties teachers are required to perform
- Curriculum
- Timing of report cards

## WAIVER DOCUMENTS

- Testing
- Record-keeping and paperwork requirements
- Attendance policies
- Graduation requirements
- Student discipline codes
- Any other provision policy, or regulation whose waiver is approved by the Steering Committee:

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(Item added by Joint BPS/BTU Steering Committee)

NOTE: Waivers for areas not listed above need to be approved by the Joint BPS/BTU Steering Committee and a different form, the WAIVER APPROVAL FORM, needs to be completed.

II. Identify the provision of the Agreement, School Committee rule or regulation or Superintendent's policy for which a waiver is required.

III. Rationale: State the educational or operational basis for the waiver.



IV. Explain concretely the proposed alternative approach, the educational needs prompting the change, and, in the case of a policy waiver, how that approach will meet the educational interests underlying the present policy.

V. Procedural check-off:

A. Waiver adopted meeting of School-Site Council on \_\_\_\_\_  
Date

We also affirm that the waiver does not alter any BTU bargaining member's salary and benefits, seniority rights involving transfer, excessing, or layoff procedures, due process rights, or right to file a grievance, nor the Union's jurisdiction and does not affect the operation of another school or incur costs beyond the school's allocated budget.

\_\_\_\_\_  
Parent Member Signature Date

\_\_\_\_\_  
BTU Member Signature Date

\_\_\_\_\_  
Principal/Head of School/Program Director Signature Date

WAIVER DOCUMENTS

B. Approval of Parent Council (not required for waiver of provisions of the Contract)

\_\_\_\_\_  
Signature of Parent Council Officer

\_\_\_\_\_  
Date Of Vote To Approve

C. Approval of at least 66 2/3% of eligible BTU by secret ballot after 5 days notice

\_\_\_\_\_  
Signature of BTU Representative

\_\_\_\_\_  
DATE OF NOTICE

\_\_\_\_\_  
DATE OF BALLOT

\_\_\_\_\_  
ELIGIBLE TO VOTE

\_\_\_\_\_  
# WHO VOTED

\_\_\_\_\_  
# WHO VOTED TO ADOPT WAIVER

SCHOOL-BASED MANAGEMENT/SHARED DECISION-MAKING  
SCHOOL SITE COUNCIL

**Waiver Approval Form**

(Please type and forward to the Center for Leadership development within five days of adoption of waiver.)

## SCHOOL SITE COUNCIL BUDGET BASICS

SCHOOL: \_\_\_\_\_ LEVEL: \_\_\_\_\_

The School-Site Council seeks approval of the Joint BPS/BTU Steering Committee for the waiver of an area not listed in Article III, Section C.4.d of the 2003-2006 Collective Bargaining Agreement between the Boston School Committee and the Boston Teachers Union.

## SCHOOL SITE COUNCIL BUDGET BASICS

- I. Identify the provision of the Agreement, School Committee rule or regulation or Superintendent's policy for which a waiver is required.

- II. Rationale: State the educational or operational basis for the waiver.

### WAIVER APPROVAL FORM

- III. Explain concretely the proposed alternative approach, the educational needs prompting the change, and, in the case of a policy waiver, how that approach will meet the educational interests underlying the present policy.

### WAIVER APPROVAL FORM

- V. Procedural check-off:

A. Waiver adopted at the meeting of School-Site Council on \_\_\_\_\_  
Date

We also affirm that the waiver does not alter any BTU bargaining member's salary and benefits, seniority rights involving transfer, excessing, or layoff procedures, due process rights, or right to file a grievance, nor the Union's jurisdiction and does not affect the operation of another school or incur costs beyond the school's allocated budget.

\_\_\_\_\_  
Parent Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
BTU Member Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Principal/Head of School/Program Director Signature

\_\_\_\_\_  
Date

## Section

# 9



## **APPENDIX E: BUDGET BASICS**

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## SCHOOL SITE COUNCIL BUDGET BASICS

### B. Approval of Parent Council (not required for waiver of provisions of the Contract)

\_\_\_\_\_  
Signature of Parent Council Officer

\_\_\_\_\_  
Date of Vote To Approve

### C. Approval of at least 66 2/3% of eligible BTU by secret ballot after 5 days notice

\_\_\_\_\_  
Signature of BTU Representative

\_\_\_\_\_  
DATE OF NOTICE

\_\_\_\_\_  
DATE OF BALLOT

\_\_\_\_\_  
ELIGIBLE TO VOTE

\_\_\_\_\_  
# WHO VOTED

\_\_\_\_\_  
# WHO VOTED TO ADOPT WAIVER

## SCHOOL SITE COUNCIL BUDGET BASICS

### FREQUENTLY ASKED QUESTIONS

#### How is it decided how much money my school gets?

To ensure equitable distribution of available resources to all schools, school budgets apply standard allocation criteria to projected enrollment. Allocations differentiate by grade level. It is important to know that your budget reflects both the total number and the programmatic needs (regular education, special education, SEI) of your students. If your enrollment is projected to increase, you should anticipate a proportional increase in your budget. If your enrollment is projected to decrease, you should expect a proportional decrease in your budget.

There are three types of school budgets allocated directly from District funds (General funds):

- **Traditional School Budgets:** Most schools receive an allocation of dollars based on their projected enrollment through a Weighted Student Funding (WSF) formula. WSF allocations are based on projected enrollment by grade level along with the individual learning needs of each student (i.e., students with disabilities, English learners, economic disadvantage). Specific funding “weights” factor in the cost of staff, materials, and supplies needed to serve the needs of projected students. The total WSF allocation equals

projected enrollment multiplied by the per-pupil dollar amounts for each weight. Schools also receive supplemental funds to establish a “Foundation for Quality,” soft landing funds to mitigate the impact of enrollment declines, and other programmatic supports, such as for EEC and ELC budgets.

- **Pilot School Budgets:** Pilot school budgets are also allocated through Weighted Student Funding. In addition, pilot schools have flexibility in purchasing back certain services from the BPS. In those cases where they choose not to and provide the service themselves, they can retain the cost of those services in their budget.
- **Programmatic Budgets:** Because of the intensive nature of support services required by Alternative Education Programs and Special Schools (McKinley, Carter, Horace Mann), budgets for these programs are based on the programmatic needs of the students that attend them and do not use the Weighted Student Funding formula.

In all school budgets, enrollment is a primary factor in determining your budget.

Additionally, schools may receive external funds, most commonly Title I funds, which are also allocated through BPS:

**Title I budgets** come from the Federal Government’s largest education entitlement grant, with its purpose being to improve academic achievement and opportunities for disadvantaged students. BPS allocates Title I funds to each school based on a poverty calculation, using ‘Direct Certification’ data from the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), and Homeless and Medicaid Enrollment. The percentage of students who are directly certified is multiplied by the school’s total projected enrollment and then multiplied by the per-pupil Title I rate to determine the school’s overall Title I allocation.

### Where does the money come from?

Money to support education in the Boston Public Schools comes from various sources: local, state, federal, and private. This money is maintained in specific funds.

**General Fund:** The general fund represents the appropriation that is received from the City. It is supported by two primary sources of funds: local property taxes and local state aid (Chapter 70 funds). After adjusting for charter schools, Chapter 70 local aid is added to the general fund appropriation. Other City revenues, primarily property taxes, are also added to the appropriation.

The general fund budget is the budget that is approved by the School Committee, City Council, and Mayor. It supports the general operations of the school district and makes up most of your school budget. It represents about 86% of all public funds available to the school district.

**Special Revenue Funds:** These funds are commonly known as federal and state grants. The annual budget receives revenue in federal and state grants. The largest grants are Title I, Food Services, and Individuals with Disabilities Education Act. In FY21, BPS received approximately \$200M in external funding from federal, state, and private grants. There are three types of grants:

- **Entitlement or Categorical Grants:** These grants come to BPS based on specific formulas established through legislation and/or regulation by the federal and state governments. They are directed at specific target populations based on specific indicators (poverty, disability, performance, etc.). They include the so-called No Child Left Behind grants from the federal government (Title I, Title II, Title III, Title IV, and Title V). They also include state grants earmarked for specific targeted populations or services such as the Academic Support Grant.
- **Competitive Grants:** These grants are the result of submitting successful applications to either the state or federal government, and are typically awarded for support in achieving very specific goals. Examples of competitive grants include the National Science Foundation Grant, Safe Schools/Healthy Schools, and Reading First.
- **Reimbursement Grants:** These grants represent reimbursement for services that the Boston Public Schools provides. They include National School Lunch and the State's Circuit Breaker Program for extraordinary costs of special education services.

Most of the grants that come into the school district support Academic Achievement and Student Support Services.

**Private Funds:** The Boston Public Schools, and individual schools, are fortunate to be the recipients of generous donations from the private sector to support our work. Major support has been received from the Carnegie Corporation of New York, Annenberg Foundation, Bill and Melinda Gates Foundation, Broad Foundation, Microsoft Corporation, Barr Foundation, EdVestors, Vertex, GE, and many others. These funds support both district-wide education programs and reform efforts as well as individual, school-based initiatives. BPS has received approximately \$10 million over the past several years in private donations.

No deductions are made to school budgets as an offset to any fundraising or private funds that schools receive or raise on their own.

Private funds that come to BPS schools are often managed by fiscal agents and do not always flow through the school district's financial systems. Organizations acting as fiscal agents include the Boston Plan for Excellence, Center for Collaborative Educations and Jobs for the Future. BPS's preferred fiscal agent is the Boston Educational Development Foundation (BEDF).

**What is my role on the School Site Council on my school budget?**



The roles of the School Site Council are defined in the contract between the School Committee of the City of Boston and the Boston Teachers Union. Shared decision-making is based on a philosophy that “the school site is the appropriate place for most decision-making affecting the education of children in that school” and that “the best quality decisions at the local level are likely to result from the process of shared decision-making.”

The contract clearly defines your role, as a member of the School Site Council, with respect to the budget. It is, in consultation with the Principal/ Head of School and other members of the Council:

“to approve the budget for discretionary school materials, supplies, textbooks, and equipment, including the use of school improvement award funds” and

“to review and comment on the entire school budget, including the General Fund and External Funds budgets, in a timely fashion. Upon written request, school site council members shall be provided with written or electronic copies of school budgets.”

In addition, the Budget Office expects each school budget to be signed by the Principal/Head of School, a parent member, and a teacher member of the Council. This signature does not necessarily mean that you agree with the budget but that you have “seen and reviewed” the budget submitted.

Finally, you have an opportunity to submit written comments with the budget. These are most powerful when they are submitted by the whole Council.

It should be noted that the budget process is not disconnected from the work of the school or the Council. In its truest sense, the budget represents your financial plan to support the school’s Whole School Improvement Plan.

### **What flexibility is there in the budget? What discretionary funds require School Site Council approval?**

During the central Budget Collaborative process with schools, every school must meet specific requirements of federal and state laws, local ordinances, School Committee policy, and collective bargaining agreements. In past analyses, the BPS has estimated that 90-95% of a schools’ general fund budget could be considered constrained by mandates, policies, regulations, and/or requirements (perhaps more so in difficult budget years).

Potential areas of flexibility include Staffing configurations; Non-teaching positions such as Administrators, Library Aides, Instructional Facilitators, and some clerical positions; Non-personnel lines such as Instructional Supplies, Stipends, Partnerships, Field Trips; and grant

funds such as Title I or private grants. Areas of particular constraint include Special Education and META compliance to ensure appropriate services for students with limited English proficiency.

The greatest flexibilities are not granted by the district but created at the school level by innovative scheduling, staffing, and budgeting. In other words, there are many requirements, which must be met, but there can be some flexibility in HOW they are met.

**Is it possible to have more enrichment programs?**

Yes, but it depends on the priorities established at the school site and the level of discretionary resources. Your budget should reflect this planning.

**Is it possible to reduce class size?**

Yes, but it depends on the priorities established at the school site and the level of discretionary resources.

**Can I refuse to sign off on the budget?**

Yes, but it is not advised. The intent is to reach a consensus on the best use of available resources to meet the priorities of the school.

**What will happen if I do not sign off?**

Your principal will be instructed to submit the budget without your signature, and the budget will be recognized as the formal school request.

**Are there other ways I can influence the budget?**

Yes!

- Provide detailed written comments with the budget submission. We do look at them!
- Participate in Public Hearings: School Committee – February- March
- Attend Public Hearings: City Council – April – June
- State Budget

**Will our budget be cut once it is submitted?**

In the current economic environment, it is entirely possible. However, it has been the practice for the past several years that once school budgets are released, we will not go back and ask you to make reductions from those budgets, regardless of the final amount of budgetary authority available to the Boston Public Schools.

**There is a feeling that certain schools are the “good” schools and get extra resources for books, facilities, and teachers. Is this true?**

No, this is not true. We use a Weighted Student Funding formula for the distribution of funds to ensure that all schools receive an equitable share of available resources based on the needs of

## Section 10



## APPENDIX F: TOOLS FOR SUCCESS

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the students that attend the school. Any exceptions to this standard are published annually as part of the BPS' Budget Documents submitted to the School Committee.

The Boston Public Schools has recently been more engaged in ensuring that there is more intensive support for those considered low-performing schools. These interventions are based on the needs of students in schools and not based on preferential treatment. This support may come in the form of additional financial resources at the supervising school superintendent's discretion. Or, it may come as the result of specific grant applications that have been awarded. More typically, it comes in the form of intensive support from central staff.

### **What is the 1% requirement for Title I funds?**

There is a requirement of both the school district and individual schools:

- ***District Requirement:*** 1% of the total Title I budget must be spent to support parental involvement. Part of this requirement is met through the Office of Family and Community Advancement.
- ***School Requirement:*** 1% of the school's allocation must be spent to support parental involvement.
- This amount does not have to come from Title I funds as long as the dollar value of the 1% is met.

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## **Overall Goal of SBM/SDM: Improved Student Learning**

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### COMPONENTS

#### **A. Educational Direction of the School**

1. The SSC has a shared vision and mission for the school that focuses on student learning
2. The SCC develops a manageable work plan for each year that is aligned to the district's goals and focused on improving student learning.
3. The SCC spends its time on activities that have a significant impact on student learning.
4. The SSC oversees the development and implementation of the school's educational plan.
5. The SSC ensures that the school regularly assesses itself and revised plans as needed.

#### **B. Meeting Mastery**

1. SSC Meetings are held at least monthly.
2. SSC meetings are scheduled in advance and members are notified of meeting times in accordance with the. Massachusetts open meeting law.
3. SSC members attend regularly scheduled SSC meetings in accordance with bylaws.
4. SSC minutes are kept of all meetings and made available to members and key constituencies
5. SSC members conduct work in between meetings, as needed

C. Communications

1. The SSC seeks input from school constituencies, e.g., teachers, parents, students, community, etc.
2. The SSC informs the full school-community of its activities and outcomes on a regular basis.
3. The SSC communicates with the Office of Family and Community Advancement and the appropriate level and/or central offices.

D. Ability to Work Together as a Team

1. SSC members effectively communicate with each other.

2. SSC members use consensus based decision-making
3. SSC members resolve problems and conflicts effectively.
4. The SSC members work together as a well functioning team.
5. The SSC regularly assess itself

E. **Management of Team Diversity**

1. The SSC composition is balanced, as specified in the contract, by role group and race/ethnicity.
2. The SSC uses its members' individual skills and areas of expertise.
3. All members participate fully in the discussions and decisions, identifying different interests and working to bring them together
4. The SSC works to ensure that all members feel included and valued

F. **Team Leadership**

1. The Principal/Head of School and the Co-Chair work together to lead the SSC
2. The Principal/Head of School works with the team to clarify their respective roles and responsibilities.
3. The Co-Chairs ensure that all SSC members have timely information they need to make decisions.
4. The Principal/Head of School acts as facilitative leader in SSC decision-making.
5. SSC members share leadership and responsibility for the council's work

School Name:	Meeting Date:	Total Attendance: Staff: Family: Community: Partner:	School Staff # in Attendance/SSC:  Family # in Attendance/SSC:
<b>COMPONENTS</b>	<b>MODEL EXAMPLE</b> 5-clearly evident	<b>PRACTICE SCORE</b> 1 (not evident) → 5 (clearly evident)	<b>OBSERVATION NOTES</b>
<b>A. Education Direction of School</b>			
The SSC spends its time on activities that have a significant impact on student learning.	<i>SSC prioritizes work such as the instructional focus, the essentials for instructional equity, or the ILT.</i>	1 2 3 4 5	

The SSC oversees development and implementation of the school's educational plan and ensures that the school's budget is aligned with the plan.	<i>Discussions involve the quality school plan and/or review of and vote of the discretionary budget.</i>	1 2 3 4 5	
<b>B. Meeting Mastery</b>			
Meetings are held at least monthly.	<i>In notes, list meeting dates (last, current, next)</i>	1 2 3 4 5	
SSC meetings are scheduled in advance and members are notified of meeting times.	<i>In notes, list posting date and methods.</i>	1 2 3 4 5	
SSC minutes are kept and made available to members and key constituencies.	<i>In notes, provide a link to minute's if/when available.</i>	1 2 3 4 5	
SSC members conduct work in between meetings as needed.	<i>In notes, list evidence, if relevant.</i>	1 2 3 4 5	
<b>C. Communications</b>			
The SSC seeks input from school constituencies, e.g. teachers, parents, students, community, etc.	<i>Reports and updates are given from constituent groups at each SSC meeting, e.g. teachers (ILT), parents, students, community, etc.</i>	1 2 3 4 5	
The SSC communicates with the Office of Family and Community Advancement and the appropriate level and/or central offices.	<i>The SSC communicates with the OSFCA as needed for advice and support as needed.</i>	1 2 3 4 5	
<b>D. Ability to work as a team</b>			



## School-based management/shared decision-making

**School Site Council Manual**

## Index

SSC members effectively communicate with each other as a well-functioning team and ensure that all members are included, valued, and utilized.	<i>All members who wish to participate are able to voice their opinions and engage in the discussion.</i>	<b>Complaint Processing</b> 18 <b>Conflict of Interest Law</b> 50, 110-120 <b>Consensus</b> 13, 18, 22, 31, 46, 53-58, 61, 75, 77, 81, 90, 99, 132, 136, 139, <b>Diversity</b> 8, 9, 27, 42, 46-47, 69, 72, 79, 88, 97 <b>Elections</b> 12-13, 17-19, 23, 32-33, 43, 44, 48, 58, 72, 75, 79-81, 88, 91, 100, 104
SSC members use consensus based decision-making skills.	<i>Decisions are reached through dialogue and then a subsequent vote.</i>	<b>Instructional Leadership Team</b> 6, 10-11, 28-30, 76, 90, 92, 94 <b>Intervention in Council Operations</b> 18 <b>Joint Steering Committee</b> 6, 17-22, 42, 56-
SSC members resolve problems and conflicts effectively.	<i>When members disagree, differing opinions are respected, heard, and incorporated into subsequent conversations.</i>	
<b>F. Team Leadership</b>		
The Principal/Head of School and the Co-Chair work together to lead the SSC.	<i>Both chairs are present on the agenda and share responsibilities of facilitation.</i>	<b>Massachusetts Education Reform Act</b> iii, 3, 40, 46, 60, 76 <b>Meeting notices</b> 49
The Principal/Head of School acts as a facilitative leader in SSC decision-making.	<i>Principal/Head of School participates actively in meetings in sharing information/resources or introducing key staff who can.</i>	<b>Minutes</b> 12, 45, 16-18, 33, 48, 49, 52, 73, 79, 81, 83, 100, 102, 109, 136, 138 <b>Office of Family and Community Advancement</b> ii, 12, 14, 17, 18, 22, 23, 43, 44, 51, 56, 63-66, 68, 69, 74, 75-79, 81, 87-89, 91, 102, 134, 136, 139
SSC members share leadership and responsibility for the Council's work.	<i>SSC members participate in key conversations and engage with co-chairs. Group norms are posted and followed.</i>	<b>Open Meeting Law</b> 15-17, 49, 51, 52, 73, 78, 80, 81, 99, 106-107, 136 <b>Orientation and Training</b> 22, 57, 67, 68

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**Profile of an Effective School Site Council** 69, 138-139

**Quorum** 13, 15, 32, 49, 50, 77, 98-99

## SOURCES

Three sources described briefly below, provided the research foundation for the Profile of Effective School-site Council.

Bryk, Anthony, et al. A view from the Elementary School: The State of Reform in Chicago. Chicago: Consortium of Chicago School Research, 1993.

Synthesizes research from over 500 Chicago schools, focusing on local school governance and improvement. Active school Councils met at least monthly, used subcommittees, had active parents, and had a Principal who did not control all decisions.

Glickman, Carl D. Renewing America's Schools: A Guide for School-Based Action. San Francisco: Jossey Bass, 1993.

Focus of governance is on educational impact, especially functions that have core impact, e.g., instructional programs, staff development and assessment.

Hackman, J. Richard (Ed) Groups that Work (and Those that Don't). San Francisco: Jossey-Bass Publishers, 1990.

Research on non-school teams found that effective teams had productive output, ability to work together independently in the future and high satisfaction among team members.

## OTHER RESOURCES

The following resources are also useful for School-site Councils:

Barth, Roland S. Improving Schools from Within: Teachers, Parents and Principals Can Make a difference. San Francisco: Jossey-Bass, 1990.

David, Jane. "Synthesis of Research In School Based Management." Educational Leadership May, 1989.

Doyl, Michael and David Straus. H2 Make meetings Work. Berkley, June 1982.

Fisher, Roger and William Ury. Getting to Yes: Negotiating