

SECTION G

PERSONNEL

GA	PERSONNEL POLICIES GOALS
GBA	EQUAL EMPLOYMENT OPPORTUNITY
GBEA	STAFF ETHICS/CONFLICT OF INTEREST
GBEB	STAFF CONDUCT
GBEBC	GIFTS TO AND SOLICITATIONS BY STAFF
GBEC	DRUG-FREE WORKPLACE POLICY
GBGAA	HEALTH EXAMINATIONS
GBGB	STAFF PERSONAL SECURITY AND SAFETY
GBGE	DOMESTIC VIOLENCE LEAVE POLICY
GBGF	FAMILY AND MEDICAL LEAVE
GBI	STAFF PARTICIPATION IN POLITICAL ACTIVITIES
GBJ	PERSONNEL RECORDS
GCA	PROFESSIONAL STAFF POSITIONS
GCBA	PROFESSIONAL STAFF SALARY SCHEDULES
GCBB	EMPLOYMENT OF PRINCIPALS
GCCC	FAMILY AND MEDICAL LEAVE
GCCD	DOMESTIC VIOLENCE LEAVE POLICY
GCG	SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT
GCJ	PROFESSIONAL TEACHER STATUS
GCK	PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS
GCQF	SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

GCRD POLICY ON TUTORING FOR PAY
GDO EVALUATION OF SUPPORT STAFF
GDQD SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

PERSONNEL POLICIES GOALS

The District's specific personnel goals are:

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

LEGAL REF.: [603 CMR 26.00](#) (Access to Equal Educational Opportunity)

EQUAL EMPLOYMENT OPPORTUNITY

The School Committee subscribes to the fullest extent the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the District who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race, color, age, sex, gender identity, national origin, disability, sexual orientation, marital status, military status, religion, genetic information, or ancestry. Every available opportunity will be taken in order to ensure that each applicant for a position is selected on the basis of qualifications, merit and ability.

LEGAL REF.: [M.G.L. 151B:4](#)
[603 CMR 26.00](#) (Access to Equal Educational Opportunity)

CROSS REF.: AC, Nondiscrimination

STAFF ETHICS / CONFLICT OF INTEREST

Staff members are required to know and adhere to the Massachusetts Code of Ethics.

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

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

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

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

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

LEGAL REFS.: M.G.L. [71:52](#); [268A:1](#) et seq.

CROSS REFS.: GBEB, Gifts to Staff
GCRD, Tutoring for Pay

STAFF CONDUCT

All staff members have a responsibility to familiarize themselves with and abide by all applicable state and federal laws, the policies of the School Committee, and the procedures designed to implement them.

In the area of personal conduct, the Committee expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school system but also sets forth a model worthy of emulation by students. The Wellesley Public Schools shall consider behavior in violation of the standards of conduct which occurs in a digital, cyber or non-face-to-face environment the same as behavior in violation of the standards of conduct in a traditional or physical environment.

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

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

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Committee and their implementing procedures and school rules in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern for and attention to their own and the school system's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.
6. Maintain professional relationships with students at all times
7. Report known or suspected school-related misconduct and/or questionable behavior on the part of fellow employees and volunteers.
8. Serve as positive role model for students and set good examples in conduct, manners, dress and grooming.
9. Maintain confidential information.
10. Treat students, staff and the community with respect, consideration and civility.

11. Compliance with mandated reporting regulations of suspected child abuse or neglect.
12. Adherence to procedures as outlined in the employee handbook.

LEGAL REFS.: M.G.L. [71:37H](#); [264:11](#); [264:14](#)

GIFTS TO AND SOLICITATIONS BY STAFF

Gifts

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

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

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

Class Gifts

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

Gifts for School Use

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

Charitable Solicitations

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

purposes should be made among staff members. Staff members of course remain free to support charitable causes of their own selection.

LEGAL REFS.: M.G.L. [268A:3](#); [268A:23](#)
[930 CMR 5.00](#) (Gift Regulations)

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

DRUG-FREE WORKPLACE POLICY

The School District will provide a drug-free workplace and certifies that it will:

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

WHERE YOU CAN GO FOR HELP

If you have a private doctor or participate in one of the Health Maintenance Organizations (HMO) it is recommended that you seek assistance through them.

The Wellesley Public Schools has collected information from various drug assistance and/or rehabilitation programs. This information is available from the Employee Assistance Program.

LEGAL REF.: [The Drug-Free Workplace Act of 1988](#)

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

HEALTH EXAMINATIONS

Before any individual is hired by the Town, he or she shall satisfactorily pass a pre-employment physical examination, to be administered without charge to the individual by a physician designated by the Town. The applicant can opt for a physical performed by his/her own personal physician.

STAFF PERSONAL SECURITY AND SAFETY

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

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

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

LEGAL REFS.: M.G.L. [71:54](#); [71:55C](#)

CROSS REF.: EB, Safety Program

DOMESTIC VIOLENCE LEAVE POLICY

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

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

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

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

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

1. A protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;

2. A document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;
3. A police report or statement of a victim or witness provided to police documenting the abusive behavior;
4. Documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt; or has been convicted of, or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;
5. Medical documentation of treatment as a result of the abusive behavior;
6. A sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior;
7. A sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

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

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

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

No employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, he/she shall

be entitled to restoration to the employee's original job or to an equivalent position. Definitions of "abuse", "abusive behavior", "domestic violence", "employees" and "family members" may be found in the laws referenced below.

LEGAL REFS.: M.G.L. [149:52E](#); Section 10
[Chapter 260 of the Acts of 2014](#)

FAMILY AND MEDICAL LEAVE

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

LEGAL REF.: [P.L. 103-3](#) (Family and Medical Leave Act of 1993)

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

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

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

LEGAL REF.: M.G.L. [71:44](#)

PERSONNEL RECORDS

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

1. A personnel folder for each present and former employee will be accurately maintained in the central administrative office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, payroll deductions, evaluations, and any other pertinent information.
2. The Superintendent will be the official custodian for personnel files and will have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law.
3. Personnel records are considered confidential under the law and will not be open to public inspection. Access to personnel files will be limited to persons authorized by the Superintendent to use the files for the reasons cited above.
4. Each employee will have the right, upon written request, to review the contents of his/her own personnel file.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include his/her written response in the file.
6. Lists of school system employees' home addresses will be released only to governmental agencies as required for official reports or by the law.

LEGAL REFS.: [Family Educational Rights and Privacy Act \(20 U.S.C. § 1232g\)](#)
Title IV, Higher Education Act of 1965, as amended
M.G.L. [4:7](#); [71:42C](#)
Teachers' Agreement

CONTRACT REF.: All Agreements

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

PROFESSIONAL STAFF POSITIONS

The School Committee is responsible for the creation and/or elimination of all Department of Elementary and Secondary Education-licensed job classifications.

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

PROFESSIONAL STAFF SALARY SCHEDULES

Teachers

The School Committee will adopt a salary schedule for regular teaching personnel as part of the contract negotiated with the teachers' bargaining unit.

Non-Union Personnel

Salaries will be reviewed annually prior to July 1. The Committee, with the advice of the Superintendent, will establish levels of compensation for each position based on the circumstances, dynamics, and requirements of each position. The Superintendent may survey other school systems to determine salaries being paid for comparable positions in each system. The survey will include the effective date of the specified salary.

LEGAL REFS.: M.G.L. [71:40](#); [71:43](#)

CONTRACT REF.: Teachers' Agreement

EMPLOYMENT OF PRINCIPALS

Principals shall be employed by the Wellesley Public Schools under individual contracts of employment. Initial contracts issued to Principals may be up to three years in length, and may be reissued by the Superintendent at levels of compensation/benefits determined by the School Committee, provided that the Superintendent may employ a Principal under the terms and conditions of the previous contract of employment. The compensation/benefit levels, above referenced, may be exceeded only with the approval of the School Committee.

The length of second and subsequent contracts of employment for Principals shall be in accordance with state law.

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

LEGAL REFS.: M.G.L. [71:41](#); [71:59B](#)

SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role.

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

PROFESSIONAL TEACHER STATUS

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

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

A teacher who attains professional teacher status will have continuous employment in the service of the District, subject to the provisions of law and satisfactory evaluations. A teacher with professional teacher status whose position is eliminated by the School Committee may be continued in the employ of the District in another position for which he/she is legally qualified.

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

LEGAL REFS.: M.G.L. [71:38](#); [71:38G](#); [71:38H](#); [71:41](#); [71:42](#); [71:43](#)

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The needs of the students and the instructional program will be the primary consideration in the assignment of professional staff members. Therefore, the assignment and transfer of professional staff members will be accomplished by the Superintendent on the basis of the employee's qualifications, the needs of the school system, and the employees' expressed desires. Care will be exercised by the Superintendent to assure that all schools are staffed with effective teachers.

Within an individual school, the building administrator will have the authority to assign classes and courses, provided this is done with full regard for the teacher's area of certification and the policies delineated above.

CONTRACT REF.: Teachers' Collective Bargaining Agreement

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

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

LEGAL REFS.: M.G.L. [71:42](#); [71:42D](#)

POLICY ON TUTORING FOR PAY

Tutoring for pay is defined as giving private instruction or help to an individual or group for which the teacher or other staff member receives remuneration other than through the Wellesley Public Schools. It is the Wellesley Public Schools policy that no teacher or other staff member may receive pay for tutoring one of his/her own pupils.

Teachers and other school employees may not initiate private business relationships with persons under their authority and as such may not approach a student, or the student's parents, seeking private tutoring work. The use of school resources such as classrooms, school or district email, materials, or for advertising for private tutoring is strictly prohibited.

Teachers or other staff members may not use any paid working time in connection with any private tutoring work.

Additionally, due to the changing nature of student and staff assignments, and to avoid any potential conflicts of interest, it is advisable for teachers to avoid tutoring any student assigned to their building.

LEGAL REFS.: M.G.L. [268A](#) (Conduct of Public Officials and Employees)
[Massachusetts Ethics Commission FAQs for Public School Teachers](#)

EVALUATION OF SUPPORT STAFF

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable workloads, and establish wage and salary policies that encourage employees to put forth their best efforts.

The evaluation will cover the major areas of the employee's responsibilities and his/her job description.

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

SUSPENSION AND DISMISSAL OF SUPPORT STAFF MEMBERS

Support staff not covered by the terms of a collective bargaining agreement may be terminated by the Principal of the building in which they serve or their supervisor, with the approval of the Superintendent. However, employees may request the Superintendent to review the circumstances of their termination.

Support staff may or may not be given prior notice of their dismissal depending upon the circumstances.

The Superintendent, or the Principal, with the approval of the Superintendent, may also suspend or reassign employees