

POLICY SUBCOMMITTEE MEETING MINUTES

October 5, 2017

4:00 p.m.

Spencer Borden Elementary School Community Room

1400 President Avenue

Fall River, MA 02720

A roll call at 4:13 p.m. showed:

Mr. Andrade: Absent

Mrs. Panchley: Present

Dr. Costar: Present

Also present was Superintendent Malone

Mrs. Panchley read the Open Meeting Law. A salute to the flag followed.

Before they began with the first item of discussion, Dr. Costar asked how the Policy Subcommittee meetings would proceed going forward. There were a lot of policies that needed to be reviewed and he wanted to have an idea of what the process would be like. Superintendent Malone suggested that the subcommittee set up meetings where they would review policies that MASC suggested they review in bundles by categories. His office can get these policies out to the subcommittee members one week before so that the subcommittee members could have time to read them. The Policy Subcommittee would have the authority to make changes and move them to the full Committee or decide not to make changes and leave the policy as is. One of the priorities of the School Committee is that they complete their annual policy reviews to make sure that they're living up to their governance expectation. They are not bringing forward any policies that were changed last year even if MASC has recommended changes. Outside of the bullying policy, the recommended changes that are being made tonight are small language changes. The bullying policy is very intense and Attorney Joyce has updated it to ensure that they are in full compliance with the law.

1. **Discussion:** Bullying and Harassment Policy

MOTION: Dr. Costar-Mrs. Panchley: To refer the Bullying and Harassment Policy to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that the bullying policy that Attorney Joyce has put forward is updating what they currently have to include the legal language and the updates on cyber bullying. The second part of it is the prevention and intervention plan. Dr. Costar stated that the definition of bullying in the old policy was on page 13 but he is happy to see a document now that is smaller and more manageable. Superintendent Malone stated that the procedure piece was a living document that the School Committee could revise if needed. Dr. Costar stated that he didn't have a problem with the changes that Attorney Joyce made. His only question was in regard to the training they would provide to adjustment counselors. Superintendent Malone announced that they've almost completed their negotiations with the FRAA. Part of that is training requirements and how they're going to do it. They also discussed this topic at the Leadership Institute in the summer. The SACs, guidance counselors, psychologists, and the vice principals are all being trained in this roll out. They also have a bullying coordinator who investigates the buildings.

Dr. Costar asked if parents would have access to both of these documents. Superintendent Malone said that he would like to have a tab on the webpage so that parents could access this. They are piloting a new communications system and bullying is a topic on there that someone can put in a claim for. Dr. Costar stated that he read the bullying policy in preparation for this meeting and he had three concerns, two of which have already been addressed. His first concern was that the definition of bullying was on page 13 but it has since moved to the first page. His other concern was that the old policy was too long and there was potential that its meaning would be lost. He understood that it was long because it had to be and the state required for certain things to be in it. His last concern is that they need to make the policy as clear as possible so that parents understand that the Fall River Public Schools do not tolerate bullying. He passed out a one-page document with a message about bullying that doesn't necessarily have to go in the policy but could be a letter from the Superintendent. Superintendent Malone suggested putting this in the form of a letter to parents, students, faculty, and staff. He would like to add another paragraph that lets them know where they can go to find the bullying policy on the website. He also thinks the text in the middle should be a separate one-page document.

Two were in favor None were opposed One was absent (Andrade) Motion passed

2. **Discussion:** All Massachusetts Association of School Committee recommendations relative to policy changes for the Commonwealth of Massachusetts School Department as contained in the June 2017 MASC Policy Newsletter (see attached list of policies to be reviewed at this meeting)

MOTION: Dr. Costar-Mrs. Panchley: To accept MASC's recommendation to remove the policies that are redundant or unnecessary.

Discussion:

Superintendent Malone explained that there was a list of policies that MASC were suggesting that they remove from their policy manual due to redundancies because these policies can be found elsewhere in the policy manual. For example, the Textbook Selection one is already in IJ-Instructional Materials. Mrs. Panchley pointed out that MASC justified most of the changes in parentheses but did not make it clear why they were recommending to remove "Vendor Relations" and "Negotiations." Superintendent Malone stated that, at the top of the page, they explain that the policies were redundant or unnecessary. He trusts MASC's recommendations.

Two were in favor None were opposed One was absent (Andrade) Motion passed

ACE: NONDISCRIMINATION ON THE BASIS OF DISABILITY

MOTION: Dr. Costar-Mrs. Panchley: To refer MASC's recommended change for ACE to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that the first two pages of the ACE policy is the MASC recommendations and the next two pages attached to that is the District's current policy. MASC are recommending that they replace the word "handicapped" with "disability." Dr. Costar said that he was under the impression that they already had a nondiscrimination policy that covered all protected classes. Superintendent Malone stated that there were certain laws when it came to disability. Mrs. Panchley pointed out that this policy references the ADA.

Two were in favor None were opposed One was absent (Andrade) Motion passed

ADC: TOBACCO PRODUCTS ON SCHOOL PREMISES PROHIBITED

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC's recommended changes to ADC to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that the old title of this policy was called “Smoking on School Premises.” MASC is recommending they change the title. MASC has also included specifically what they mean by smoking products. Dr. Costar asked if this changed anything regarding smoking in their code of conduct. Superintendent Malone stated that it did not.

Two were in favor None were opposed One was absent (Andrade) Motion passed

BBBA/BBBB: SCHOOL COMMITTEE QUALIFICATIONS/OATH OF OFFICE

MOTION: Dr. Costar-Mrs. Panchley: To add “disability” to the list of protected classes in the policy.

Discussion:

Superintendent Malone stated that the old policy was very brief and MASC recommended that they add new language regarding trainings that have to happen such as the State Ethics and the Conflict of Interest training. Dr. Costar pointed out where it said “membership on a School Committee is not limited to race, color, sex, religion, national origin, gender identity, or sexual orientation,” it does not mention “disability.”

Two were in favor None were opposed One was absent (Andrade) Motion passed

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommendations for BBBA/BBBB and amendments to the full School Committee for adoption.

No discussion

Two were in favor None were opposed One was absent (Andrade) Motion passed

BEDA: NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for BEDA to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that this update affirmed current practice.

Two were in favor None were opposed One was absent (Andrade) Motion passed

BEDB: AGENDA FORMAT

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for BEDB to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that the only change is the language on when School Committee members receive the supporting materials for the School Committee meeting. They are recommending that the policy say “no less than” three business days prior to the meeting.

Two were in favor None were opposed One was absent (Andrade) Motion passed

BHE: USE OF ELECTONIC MESSENGING BY SCHOOL COMMITTEE MEMBERS

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for BHE to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that they added “text” and “social media postings” to the policy. Mrs. Panchley noted that this had to do with the Open Meeting Law. Superintendent Malone stated that they also added that the District should provide district email addresses.

Two were in favor None were opposed One was absent (Andrade) Motion passed

BIA: NEW SCHOOL COMMITTEE MEMBER ORIENTATION

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for BIA to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that they added the word “ethics” and allows for this to be done online.

Two were in favor None were opposed One was absent (Andrade) Motion passed

CB: SCHOOL SUPERINTENDENT

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for CB to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that the new policy added that the Superintendent shall submit materials for the annual report. Mrs. Panchley asked if the policy was saying that he needs to send the annual report to the Mayor. Superintendent Malone stated that it wasn’t a requirement but it’s a report that he would send.

Dr. Costar asked why he wouldn’t send the report to the School Committee since the Mayor is chair of the committee. It doesn’t make sense to send the report to the Mayor and not to the School Committee.

Superintendent Malone stated that the policy says, if there is a report to be written, he needs to get it to the city or town in time for printing.

Two were in favor None were opposed One was absent (Andrade) Motion passed

CBD: SUPERINTENDENT’S CONTRACT

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for CBD to the full School Committee for adoption.

Discussion:

Superintendent Malone pointed out that they were requesting to remove “upon reelection of the incumbent” and replacing it with “appointment.”

Two were in favor None were opposed One was absent (Andrade) Motion passed

CE: ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for CE to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that they are just adding one word: procedure.

Two were in favor None were opposed One was absent (Andrade) Motion passed

CH: POLICY IMPLEMENTATION

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended change for CH to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that MASC added a note to the policy. Dr. Costar stated that he didn’t entirely understand what the note meant but he trusts MASC.

Two were in favor None were opposed One was absent (Andrade) Motion passed

CHA: DEVELOPMENT OF PROCEDURES

MOTION: Dr. Costar-Mrs. Panchley: To refer the CHA policy to the full School Committee for adoption in order to update the date of adoption.

Discussion:

Superintendent Malone stated that there were no changes made but, for some reason, this policy was included on the list of recommended changes. Dr. Costar suggested leaving the policy the way that it was since there were no changes recommended. Superintendent Malone thought that the issue was the date the policy was adopted.

Two were in favor None were opposed One was absent (Andrade) Motion passed

CHC: PROCEDURES DISSEMINATION

MOTION: Dr. Costar-Mrs. Panchley: To refer the CHC policy to the full School Committee with the notation that they've completed the annual review of this policy and no changes were needed.

Discussion:

Superintendent Malone stated that there were no changes to be made to this policy but it was on the list.

Two were in favor None were opposed One was absent (Andrade) Motion passed

DB: ANNUAL BUDGET

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for DB to full School Committee for adoption.

Discussion:

Superintendent Malone stated that MASC added an introductory sentence which says that the budget reflects the goals and objectives of the School Committee. They also added a note regarding charter schools but that doesn't apply.

Two were in favor None were opposed One was absent (Andrade) Motion passed

DD: FUNDING PROPOSALS AND APPLICATIONS

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for DD to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that MASC recommended removing language from the old policy that stated "any and all grant funds that come into the District require a line item approval from the School Committee." Dr. Costar said that he was under the impression that the School Committee had fiduciary responsibility. Superintendent Malone stated that it was cumbersome. Dr. Costar stated that they usually approve these at the School Committee meetings and sometimes Committee members have questions. Superintendent Malone stated that they can still do that. Mrs. Panchley stated that the way that she understood this was that, in the old policy, it was saying that they're supposed to approve every line item individually but they were just approving the whole grant.

Two were in favor None were opposed One was absent (Andrade) Motion passed

EB: SAFETY PROGRAM

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for EB to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that MASC was recommending changing "every possible precaution" to just say "precautions." They also added a note.

Two were in favor None were opposed One was absent (Andrade) Motion passed

EBB: FIRST AID

Superintendent Malone stated that MASC has recommended a lot of new language for this policy but the intent doesn't change. Dr. Costar asked if Karen Long has seen this policy change. He would like to have her look at this. Superintendent Malone stated that he can have Ms. Long review this policy change then bring it back to a future Policy Subcommittee meeting.

EC: BUILDINGS AND GROUNDS MANAGEMENT

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended change for EC to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that there was one minor language change where the MASC recommended changing city to municipal.

Two were in favor None were opposed One was absent (Andrade) Motion passed

EDC: AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for EDC to the full School Committee but keeping "city" instead of "town" for adoption.

Discussion:

Superintendent Malone stated that MASC was recommending that they change "city" to "town" and adding "school equipment may be utilized by staff." Dr. Costar and Mrs. Panchley did not agree with changing city to town. Superintendent Malone stated that they did not have to accept that change.

Two were in favor None were opposed One was absent (Andrade) Motion passed

IC/ICA: SCHOOL YEAR/SCHOOL CALENDAR

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended change for IC/ICA to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that the old policy said it would be submitted by May 1 each year but the new policy just says "annually." He doesn't think they've ever stuck to the May 1 date. MASC includes "regulation" instead of 603 CMR 27.02. They added a legal reference and a note.

Two were in favor None were opposed One was absent (Andrade) Motion passed

ID: SCHOOL DAY

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for ID to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that on the old policy it said that no one could be admitted into the school building 10 minutes prior to the start of the day. MASC recommends removing that. Dr. Costar stated that principals have had issues with parents leaving their kids outside in the freezing cold. Superintendent Malone stated that the problem in some schools is that they don't have coverage for parents who drop their kids off 30 minutes before school starts. The doors don't open until the teachers get there. Dr. Costar stated that it was different times at each school. Superintendent Malone stated that in the collective bargaining agreement it indicates that teachers need to be there 10 minutes before school starts and five minutes after school ends. There are some schools that open 20 minutes before school starts because they have administrative coverage.

Two were in favor None were opposed One was absent (Andrade) Motion passed

IJOA: FIELD TRIPS

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for IJOA to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that this is not a field trip policy. They have a field trip policy that is very intense. Dr. Costar stated that, in regard to the recommended change of “All trips allow student access without regard of the family ability to pay,” that meant that all kids are allowed to go on field trips. However, there have been times that the School Committee approves field trips that kids need to raise money for. Superintendent Malone stated that the policy was just saying, if they’re going to have a field trip, the Superintendent will establish regulations that assure these things happen. If kids can’t pay, they’re going to find a way to cover it. Mrs. Panchley stated that she thought that the policy used to say that parents were allowed to go on the field trip. Superintendent Malone stated that that may be included in the packet of procedural stuff they have regarding field trips. Mrs. Panchley said that she thought that language was added to the policy because she had an issue that parents were told only a few of them were allowed to go on the field trip and they would essentially pick a name out of a hat. Superintendent Malone stated that that was operating procedures. Dr. Costar stated that there’s School Committee policy and then there’s a student handbook. He’s wondering if there are policies in the student handbook where they approved that. Superintendent Malone stated that policy was what they wanted to do and procedure was how they would get there. School Committee establishes the policies but they can still give input on procedures.

Two were in favor None were opposed One was absent (Andrade) Motion passed

IJOB: COMMUNITY RESOURCE PERSONS/SPEAKERS

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended changes for IJOB to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that MASC just changed “Human resources” to “Community resources” and cross referenced the C. O. R. I. requirements. As long as a speaker or person from outside the district doesn’t have direct contact with students, they don’t need to be CORI’d. This is referring to unsupervised contact. For speakers that come in to present, the teacher is usually there in the room so that is supervised. However, if someone comes in to do one-on-one tutoring, that is unsupervised. Dr. Costar said that, when they have speakers, occasionally they would have students talk to the person one-on-one. Mrs. Panchley stated that that doesn’t mean that someone with a CORI is excluded.

Two were in favor None were opposed One was absent (Andrade) Motion passed

JEB: ENTRANCE AGE

Superintendent Malone stated that MASC was removing “enter kindergarten and first grade” and just having the policy say “enter school.” They are also removing “on or before September 1” because now school is starting earlier. Mrs. Panchley stated that she wouldn’t be happy if her child had an August 31 birthday and thought that he was going to start kindergarten that year but then found out, because of this policy change, the child may be delayed. Dr. Costar agreed and said that he would like to have elementary school principals look at this. Superintendent Malone stated that he will put this on his executive meeting agenda for discussion.

JFBB: SCHOOL CHOICE

MOTION: Dr. Costar-Mrs. Panchley: To refer MASC’s recommended changes for JFBB removing “athletic performance” and replacing “physical handicap” with “disability” to the full School Committee for adoption.

Discussion:

Superintendent Malone stated that they were adding “gender identity and homelessness” to the classes that won’t be discriminated against but they still included “physical handicap” despite replacing “handicap” with “disability” in a another policy. Dr. Costar stated that he didn’t understand how they discriminate against someone due to athletic performance. That is not a protected class. Mrs. Panchley pointed out that it also lists that they shall not discriminate against someone due to academic performance. Superintendent Malone suggested that they strike “athletic performance” and replace “physical handicap” with “disability.”

Two were in favor None were opposed One was absent (Andrade) Motion passed

JHD: EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

MOTION: Dr. Costar-Mrs. Panchley: To take no action on JHD.

Discussion:

Superintendent Malone stated that MASC is suggesting that they remove some language from their policy; however, he is recommending that they keep the current policy. Dr. Costar stated that it used to be the law that, if someone was expelled from a previous school, the new school did not have to accept them. Superintendent Malone stated that he didn’t know if that changed in the 222. He’s going to find out why they’re recommending this change.

Two were in favor None were opposed One was absent (Andrade) Motion passed

JICH: ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

MOTION: Dr. Costar-Mrs. Panchley: To refer the MASC recommended change made for JICH but leave the language about referring to the student handbook to the full School Committee for adoption.

Discussion:

Dr. Costar pointed out that they were only adding “or at any school sponsored event.” Superintendent Malone added that they were also suggesting to remove language from the old policy regarding referring to information in the student handbook. Dr. Costar explained that was probably because the handbook gets more specific. Superintendent Malone suggested that they accept the MASC recommended addition of “or at any school sponsored event” but leave the language in their policy about referring to the student handbook. Mrs. Panchley agreed.

Two were in favor None were opposed One was absent (Andrade) Motion passed

3. **Discussion:** Scheduling of Subsequent Policy Subcommittee meetings relative to reviewing School Committee policies

Superintendent Malone stated that he would like to set up another Policy Subcommittee meeting. Mrs. Panchley asked if he wanted to hold one before the November School Committee meeting. Superintendent Malone stated that if they held another meeting a week before the November School Committee meeting, they could probably get more policies for adoption on the agenda. Mrs. Panchley stated that she was away on November 6 and 7. Dr. Costar stated that he was also away that week. Mrs. Panchley asked if they could do November 2. Superintendent Malone and Dr. Costar stated that they were available on that day. Dr. Costar asked if it would be at the same time. Mrs. Panchley stated that she preferred this time. Dr. Costar said that they would have to make sure that it was okay with Mr. Andrade. Superintendent Malone stated that he would have another bundle of policies by category and that will be sent out to the subcommittee a week in advance.

MOTION: Dr. Costar-Mrs. Panchley: To adjourn.

No discussion

Two were in favor

None were opposed

One was absent (Andrade)

Motion passed (5:11 p.m.)

Respectfully submitted,



Administrative Assistant

Documents Referred to:

- JICFB: Bullying Prevention
- Bullying Prevention and Intervention Plan
- Letter stating the Fall River Public Schools' stance on bullying
- MASC Policy Newsletter
- List of policies MASC is recommending removal of:
 - DJB: Vendor Relations
 - IHAE: Physical Education
 - IJJ: Textbook Selection and Adoption
 - IJK: Supplementary Materials Selection and Adoption
 - IJM: Special Interest Materials Selection and Adoption
 - JBA: Student-to-Student Harassment
 - JICG: Tobacco Use by Students
 - JRA-R: Student Records
 - KEB: Public Complaints About School Personnel
 - KEC: Public Complaints About the Curriculum or Instructional Materials
- Policies Reviewed:
 - ACE: Nondiscrimination on the Basis of Disability
 - ADC: Tobacco Products on School Premises Prohibited
 - BBBA/BBBB: School Committee Member Qualifications/Oath of Office
 - BEDA: Notification of School Committee Meetings
 - BEDB: Agenda Format
 - BHE: Use of Electronic Messaging by School Committee Members
 - BIA: New School Committee Member Orientation
 - CB: School Superintendent
 - CBD: Superintendent's Contract
 - CE: Administrative Councils, Cabinets, and Committees
 - CH: Policy Implementation
 - CHA: Development of Procedures
 - CHC: Procedures Dissemination
 - DB: Annual Budget
 - DD: Funding Proposals and Applications
 - EB: Safety Program

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- EBB: First Aid
- EC: Buildings and Grounds Management
- EDC: Authorized Use of School-Owned Materials
- IC/ICA: School Year/School Calendar
- ID: School Day
- IJOA: Field Trips
- IJOB: Community Resource Persons/Speakers
- JEB: Entrance Age
- JFBB: School Choice
- JHD: Exclusions and Exemptions from School Attendance
- JICH: Alcohol, Tobacco, and Drug Use by Students Prohibited

ADA Coordinator: Gary P. Howayeck, Esq.- 508.324.2650

Please note: A videotape/DVD of this meeting is on file in the School Committee Office and is available for review by contacting the Administrative Assistant for the School Committee Services