



MCCPS Board of Trustees

Personnel Committee Meeting

Published on March 6, 2023 at 9:00 AM EST

Date and Time

Monday March 13, 2023 at 7:00 PM EDT

Location

17 Lime Street
Marblehead, Massachusetts
01945

This is an In-Person Meeting, with remote participation.
Please note that the in-person meeting will not be suspended or terminated if technological problems interrupt the remote connection.

Zoom Login information
Meeting ID: 914 6251 4433
Passcode: MCCPSper

Agenda

	Purpose	Presenter	Time
I. Opening Items			7:00 PM
Opening Items			
A. Call the Meeting to Order		Peter Cohen	2 m
B. Record Attendance and Guests		Katie Sullivan	1 m

	Purpose	Presenter	Time
C. Approve Minutes	Approve Minutes	Katie Sullivan	5 m

II. Old Business **7:08 PM**

Personnel Committee

A. Updates on Resonant (ValEd) Survey	FYI	Peter Cohen	5 m
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III. New Business **7:13 PM**

A. Policy Review	Discuss	Paul Baker	40 m
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Review and discuss policies:

- 5.g Personnel Records
- 5.h Staff Complaints and Grievances
- 5.i Professional Staff Positions
- 5.j Policy Concerning Teacher Contracts
- 5.k Compensatory Time
- 5.l Course Credit
- 5.m Professional Staff Supplementary Pay
- 5.n Exempt vs. Non-Exempt Employees
- 5.o Domestic Violence
- 5.q Leave of Absence

IV. Action Items **7:53 PM**

A. Review Action Items from Meeting	FYI	Katie Sullivan	5 m
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Review Action Items form meeting, including who is responsible, item to be completed and time frame for status report or completion.

V. Closing Items **7:58 PM**

A. Adjourn Meeting	Vote	Peter Cohen	5 m
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Coversheet

Approve Minutes

Section: I. Opening Items
Item: C. Approve Minutes
Purpose: Approve Minutes
Submitted by:
Related Material: 2023_02_13_personnel_committee_meeting_minutes.pdf

DRAFT



MCCPS Board of Trustees

Minutes

Personnel Committee Meeting

Date and Time

Monday February 13, 2023 at 7:00 PM

Location

17 Lime Street
Marblehead, Massachusetts
01945

This is an In-Person Meeting, with remote participation.
Please note that the in-person meeting will not be suspended or terminated if technological problems interrupt the remote connection.

Zoom Login information

Meeting ID: 914 6251 4433
Passcode: MCCPSper

Committee Members Present

Jen Stoddard, Katie Sullivan, Kim Ginsberg, Paul Baker (remote), Peter Cohen

Committee Members Absent

John Steinberg

Guests Present

Carol McEnaney

I. Opening Items

A. Call the Meeting to Order

Peter Cohen called a meeting of the Personnel Committee of MCCPS Board of Trustees to order on Monday Feb 13, 2023 at 7:01 PM.

Peter Cohen facilitated the meeting because he was in person while Paul Baker was at home with the flu, but in attendance via zoom, but he will chair this committee.

B. Record Attendance and Guests

C. Approve Minutes

Jen Stoddard made a motion to approve the minutes from Personnel Committee Meeting on 01-23-23.

Peter Cohen seconded the motion.

The committee **VOTED** to approve the motion.

II. Old Business

A. Personnel Committee Membership & Schedule

Paul Baker will chair this committee and Carol McEnaney is joining the Board as a faculty member and will also join this committee.

III. New Business

A. Policy Review

We will begin to review 9 policies that have previously been reviewed but need to be finished and presented to the Board.

5a. Staff Involvement in Decision-Making Policy
changes to they pronouns

5aa. Staff Committees Appointed by the Board of Trustees Policy

5b. Staff Ethics and Conflict of Interest Policy

pronoun updates, link update to most current Education Code

5bb. Tutoring for Pay Policy

Significant changes made

5c. Gifts to and Solicitations by Staff

Needs to be consistent with the State laws

5cc. Part-time Employee Benefits Policy

added vision. typo on employs

5d. Staff Participation in Political Activities

Pronouns

5e. Policy Concerning Health Plan Options

adding Dental

5f. Policy Against Domestic Violence

This one needs more research because it's very important.

IV. Closing Items

A. Adjourn Meeting

Next meeting: Monday March 13, 2023

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 7:47 PM.

Respectfully Submitted,
Katie Sullivan

Coversheet

Policy Review

Section: III. New Business

Item: A. Policy Review

Purpose: Discuss

Submitted by:

Related Material:

5.q. Leaves of Absence Policy (R0908108-2x7ADD1).docx

5.o. Domestic Violence Leave Policy (R0908109-2x7ADD1).docx

5.n. Exempt vs. Non-Exempt Employees Policy (R0938678x7ADD1).docx

5.m. Professional Staff Supplementary Pay Policy (R0908093-2x7ADD1).docx

_5.l. Course Credit and Continuing Education Policy (R0908089-2x7ADD1).docx

5.k. Compensatory Time (R0908102-2x7ADD1).docx

5.i. Professional Staff Positions Policy (R0908084-2x7ADD1).docx

_5.h. Staff Complaints and Grievances Policy (R0908082-2x7ADD1).docx

5.g. Personnel Records Policy (R0908080-2x7ADD1).docx

5.j. Policy Concerning Teacher Contracts and Compensation Plans (R0939054x7ADD1).docx

5.q. Leaves of Absence Policy**[Effective Date]**

Leaves of Absence Policy

Eligible employees may be entitled to request short and/or long term leaves of absence, as set forth in this policy. [insert appropriate title] shall provide additional information concerning eligibility to interested employees upon request. In general, requests for any leave of absence shall be submitted, in writing, to [insert appropriate title]. Approval for leaves of absence shall be granted or denied at the discretion of [insert appropriate title] or designee

A. Short Term Leaves of Absence for Non-Employment-Related Purposes

Employees who are not entitled to vacation time or personal days, or who have exhausted such available days, may be granted an unpaid leave of absence for up to three (3) days in a fiscal year at the discretion of administration.

B. Long-Term Leaves of Absence

Administration may grant a long-term leave of absence to eligible professional employees for purposes of study or research; service to a statewide professional education organization; or election or appointment to political office. Requests for long-term leaves of absence shall be subject to the discretion of administration and, if approved, shall be administered to the extent permitted by applicable law.

C. Parental Leave

Parental leaves of absence are granted in accordance with the applicable provisions of state and federal law. [insert school name] shall comply with all governing federal and state laws, including, but not limited to, the Family and Medical Leave Act and Small Necessities Leave Act.

D. Jury Duty

Whenever an employee is called for jury duty, the employee shall be granted a leave of absence for the period the employee is ordered to jury duty. Eligible employees shall be paid his or her regular wages for the first three days, or part thereof, of juror service.

Marblehead Community Charter Public School shall not take any adverse employment actions against any employee lawfully serving jury duty.

E. Bereavement

Employees shall be entitled to three days' leave following the death of a member of the employee's immediate family, and one day of leave following the death of another

5.q. Leaves of Absence Policy

[Effective Date]

relative.

F. Religious Holiday Leaves

Eligible employees may use personal days for religious holidays that are not otherwise included as holidays in the school calendar.

G. Military Leave

All military leave is granted in accordance with the provisions of federal, state and local laws.

5.o. Domestic Violence Leave Policy

[Effective Date]

Domestic Violence Leave Policy

[NOTE – THIS POLICY IS REQUIRED IF YOUR SCHOOL EMPLOYS MORE THAN 50 PEOPLE]

The Board of Trustees and administration are committed to providing a workplace and learning environment that is aware of and sensitive to the needs of victims of domestic violence. This Policy is intended to comply with applicable state law and will be implemented to the fullest extent of the law. This Policy adopts and incorporates by reference the definitions and other provisions of M.G.L. c. 149, § 52E and other applicable law.

A. Leave Entitlement

Employees are permitted to take up to 15 days of unpaid leave from work in any 12 month period if:

- The employee, or a family member of the employee, is a victim of abusive behavior;
- The employee is using the leave from work to: seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from a court; appear in court or 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
- The employee is not the perpetrator of the abusive behavior against such employee's family member.

Employees seeking leave under this section shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking leave under this section.

For the purposes of this Policy, "family member" is defined as a parent, step-parent, child, step-child, sibling, grandparent, or grandchild of the employee; the married spouse of the employee; a person in a substantive dating or engagement relationship who resides with the employee; a person having a common child with the employee (regardless of marital or residency status); or persons in a guardianship relationship.

B. Notice

5.o. Domestic Violence Leave Policy**[Effective Date]**

Except in cases of imminent danger to the health or safety of an employee or an employee's family member, an employee seeking leave from work under this section shall provide written notice of the anticipated leave to the [insert appropriate title] as soon as is practicable.

If there is a threat of imminent danger to the health or safety of an employee or the employee's family member, the employee shall not be required to provide advanced notice of leave; provided, however, that the employee shall notify [insert appropriate title] within 3 workdays that the leave was taken or is being taken under this section. Such notification may be communicated to administration 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 on the employee or the employee's family member.

If an unscheduled absence occurs, no negative action shall be taken against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the last unauthorized absence in the instance of consecutive days of unauthorized absences, provides documentation of the reason for such leave.

C. Documentation

In cases of unauthorized absences or as otherwise required by administration, employees seeking leave under this Policy shall provide one of the following documents confirming the reason for such leave: protective order as a result of abusive behavior; document under letterhead of a court or public agency; police report or victim/witness statement provided to police; documentation confirming perpetrator's admission or conviction of abuse; medical documentation of treatment as a result of abusive behavior; sworn statement of a professional who has provided assistance related to the abuse; or a sworn statement of the employee confirming the abuse. Any such documentation shall be maintained only as long as required to determine whether the employee is eligible for leave under this Policy.

D. Confidentiality

All information related to the employee's leave under this Policy shall be kept confidential, except where disclosure is: requested or consented to, in writing, by the employee; ordered to be released by a court of competent jurisdiction; otherwise required by applicable federal or state law; required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the attorney general; or necessary to protect the safety of the employee or others employed at the workplace.

E. Non-Discrimination

5.o. Domestic Violence Leave Policy

[Effective Date]

Neither the Board of Trustees nor administration shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under this section. The taking of leave under this section shall not result in the loss of any employment benefit accrued prior to the date on which the leave taken under this section commenced. Upon the employee's return from such leave, the employee shall be entitled to restoration to the employee's original job or to an equivalent position.

Marblehead Community Charter Public School
5.n. Exempt vs. Non-Exempt Employees Policy
[Effective Date]

Exempt vs. Non-Exempt Employees Policy

Employees shall be classified as either exempt or non-exempt from overtime under applicable law.

Non-exempt employees may be paid on an hourly basis and are expected to confine their work to the normal workday and workweek unless Marblehead Community Charter Public School Head of School, Principal, or Business Manager approves that employee's overtime request in writing and in advance. Non-exempt employees will be eligible to receive overtime pay for all **authorized** hours worked in excess of forty (40) in a workweek.

Exempt employees may be paid on a salary basis and are not entitled to overtime pay for hours worked in excess of forty (40) in a workweek. The hours of exempt employees may be irregular, and may begin and end beyond the normal workday.

Commented [1]: approved by senior management person

Marblehead Community Charter Public School
5.m. Professional Staff Supplementary Pay Policy
[Effective Date]

Professional Staff Supplementary Pay Policy

Marblehead Community Charter Public School recognizes that certain assignments require extra responsibility over and above that required of other staff members who are in the same position. When such supplemental assignments require extra time and responsibility beyond that regularly expected of professional staff, professional staff embarking on such supplemental assignments will be compensated accordingly. Assignments to these positions will be made at the discretion and under the direction of the Head of School. All such assignments shall be made in writing. Upon termination of the assignment, the supplementary pay will cease.

Marblehead Community Charter Public School
5.1. Course Credit and Continuing Education Policy
[Effective Date]

Course Credit and Continuing Education Policy

Marblehead Community Charter Public School has adopted the following policy concerning credit for professional development and continuing education courses:

- Documentation Requirement: employees are responsible for providing satisfactory written documentation of eligible courses successfully completed to the Head of School. No credit is given without such documentation.

- New Hires: eligible employees who provide satisfactory documentation of courses successfully completed receive salary schedule credit for such courses as of the date of hire, provided that documentation is received by the Head of School within thirty (30) days of appointment. Documentation received after that date is credited in the academic year following receipt of documentation.

- Continuing Employees: eligible employees other than new hires who provide satisfactory documentation of courses successfully completed in accordance with personnel guidelines, receive salary schedule credit for such courses as of the beginning of the school year. Documentation received after the beginning of the school year is credited at the beginning of the following school year.

Marblehead Community Charter Public School

5.k. Compensatory Time Policy

[Effective Date]

Compensatory Time Policy

Under certain circumstances, eligible non-exempt employees may be entitled to receive compensatory time in lieu of overtime for hours worked in excess of forty in a given workweek. Where applicable, compensatory time shall be earned at a rate of one and one-half hours for each hour of employment.

The Board of Trustees prohibits the earning of compensatory time without prior written approval of administration. All official records of compensatory time due to employees are maintained by administration, which shall make reports for auditing purposes as needed.

Marblehead Community Charter Public School

5.i. Professional Staff Positions Policy

[Effective Date]

Professional Staff Positions Policy

All professional staff positions in the school will be created by the Head of School. It is the Head of School's intent to create a sufficient number of positions to accomplish the school's mission and achieve its education program. Although such positions may remain temporarily unfilled, only the Head of School may abolish a position it has created.

The Head of School shall maintain a comprehensive set of job descriptions for all positions and communicate with the Board of Trustees concerning the status of all open and filled positions on a regular basis.

? Marblehead Community Charter School
5.h. Staff Complaints and Grievances Policy
[Effective Date]

Staff Complaints and Grievances Policy

The Board of Trustees encourages administration to develop effective means of resolving differences that may arise, and to establish and maintain recognized channels of communication between the staff, administration, and the Board.

It is the Board of Trustees' desire that staff complaints and grievances be promptly and equitably resolved at the lowest possible level, and that each employee be assured an opportunity for an orderly review and resolution of complaints and concerns.

Channels established will provide that staff may appeal a decision to the Head of School, presuming that person did not make the personnel decision at issue; that staff may appeal a decision of the Head of School to the Board of Trustees; and that all hearings of complaints before the Board of Trustees shall be conducted in the presence of the Head of School who made the ruling that is the subject of the complaint and in compliance with Marblehead Community Charter Public School's due process and procedures policy.

INTERNAL MCCPS PROBLEM RESOLUTION POLICY
and Procedure (Grievance Process)

Staff Complaints and Grievances Policy

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1. DEFINITIONS

Employee: Any employee of Marblehead Community Charter Public School (MCCPS).

? Marblehead Community Charter School

5.h. Staff Complaints and Grievances Policy

[Effective Date]

Grievance: Any claim or complaint by one or more staff members that there has been a violation, misapplication, or misrepresentation of MCCPS's rules of conduct, policies, or practices relating to wages, hours, or other conditions of employment will be considered a grievance. Any matters covered by applicable law, Massachusetts General Law Chapter 71: Section 89 or by regulation of any agency having jurisdiction over the parties hereto will not be considered a grievance.

Administration: Any Director that is a direct report to the Head of School. [Includes: Business Manager, Director of Student Services, and/or Principal]

2. Purpose

1. The purpose of the problem resolution procedure is to secure equitable solutions to grievances or potential grievances, which may from time to time arise, affecting the working conditions of employees.
2. Both parties agree that proceedings will be kept as informal and confidential as mutually agreed upon during any level of the procedure.
3. Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered maximum, and every effort should be made to expedite the process. However, the time limits specified may be extended by mutual written agreement of all parties.

Problem Resolution Procedures

A. Grievances Between Employees

Level 1 – Direct Supervisor Resolution

MCCPS employees should first attempt to resolve the matter through informal discussions between parties. If the two employees are unable to resolve their difference, or an employee prefers not to approach a co-worker directly, the employee may at any time request a mediation meeting with mediation services through the Principal, Business Manager, or Director of Student Services. In addition, any party may request a member of administration capable of solving the problem to attend and/or facilitate these informal discussions.

If, after informal discussions, the grievant is unsatisfied with the outcome or the matter remains unresolved, s/he may submit, within fifteen (15) business days of when s/he knew or should have known of the alleged **problem**, a written description of the grievance to his or her direct supervisor. The description should include:

1. The nature of the grievance, including date, time, and location (as applicable)
2. The nature and extent of the grievance;
3. The result of previous discussions regarding the grievance;
4. His or her dissatisfaction with the outcome of discussions and a description of the hopeful outcome.

? Marblehead Community Charter School

5.h. Staff Complaints and Grievances Policy

[Effective Date]

The direct supervisor will investigate the grievance and shall communicate his or her written decision within ten (10) business days of receipt of the written grievance.

Level 2 – Administrative Resolution

If an employee is unsatisfied with the Level 1 decision, the employee may seek resolution through an administrator that is capable of solving the grievance. Within ten (10) business days of receiving the Level 1 decision, employees may submit to an administrator capable of solving the grievance, or the Head of School (whichever is lower), his or her original written grievance, with the Level 1 decision letter, along with a letter to the administrator describing his or her dissatisfaction with the level 2 outcome and a description of the hopeful outcome.

The administrator shall arrange a meeting with the grievant and relevant parties, as appropriate, to discuss the matter. Within ten (10) business days, the administrator will communicate his or her written decision to the grievant and, as necessary, to all parties named in the grievance.

If the administrator is the Head of School, his or her decision is final.

Level 3 – Head of School Resolution

Employees who are unsatisfied with the decision from the administrator in Level 2 may seek resolution through the Head of School. Within ten (10) business days of receiving the Level 2 decision, employees who remain dissatisfied with the Level 2 decision may submit to the Head of School a copy of all previous communications in connection to this grievance, including:

- His or her original written grievance
- Level 1 decision letter
- letter to Level 2 administrator
- Level 2 decision letter
- Any other communications that are relevant to this complaint
- A letter to the Head of School as to why the outcome from Level 1 and 2 is unsatisfactory with a description of the hopeful outcome .

The Head of School shall investigate, and arrange meetings with all involved parties, together and/or individually, and may **at his/her discretion** choose to involve other relevant parties. Within twenty (20) business days from receipt of the employee's grievance to the Head of School, the Head of School will communicate his or her written decision to all involved parties.

Failure to cooperate with the Head of School does not preclude the Head of School from conducting further proceedings and issuing a decision.

The Head of School's decision is final.

B. Grievances Against the Head of School

Employees need to take complaints involving the Head of School directly to the Head of School

? Marblehead Community Charter School

5.h. Staff Complaints and Grievances Policy

[Effective Date]

for discussion and resolution. In the event that an employee is not comfortable, they may ask their supervisor to speak to the Head of School on their behalf. Every effort will be made by both employee and the Head of School to resolve the problem through informal discussions.

If discussions fail to resolve the issue, the employee may submit the substance of his or her grievance in writing to the Chair of the Board of Trustees **with a copy to the Head of School** within 20 business days of when the employee knew or should have known of the issue.

The Chair of the Board of Trustees will convene a hearing within 12 business days of receipt of the written grievance between the employee, the Head of School and any other applicable parties. The Chair will convey his or her decision in writing to the employee **with a copy to the Head of School** within seven working days of that hearing.

If the aggrieved employee is not satisfied by the Chair's decision, s/he may submit, in writing, his or her grievance to the Head of School Oversight Committee of the board, along with a copy of the finding of the Chair, within five business days of receipt of the Chair's decision. The Head of School Oversight Committee shall meet within 20 business days of receipt of the written complaint. The employee and Head of School may be present and may be accompanied by a person or persons s/he feels would substantiate the grievance. The Chair of the Head of School Oversight Committee will then communicate the committee's decision in writing within seven (7) business days of convening the meeting. This decision will be final.

Board Approved: DATE

Marblehead Community Charter Public School

5.g. Personnel Records Policy

[Effective Date]

Personnel Records Policy

Marblehead Community Charter Public School shall implement a comprehensive and efficient system of personnel records maintenance and control under the following guidelines:

- A personnel record for each employee shall be maintained by the Head of School. The personnel record shall include the information required to be maintained by applicable law, including but not limited to: the employee's name, address, date of birth, job title and description; rate of pay and any other compensation; starting date of employment; job application; resumes or other forms of employment inquiry; all performance evaluations, including but not limited to, employee evaluation documents; written warnings of substandard performance; lists of probationary periods; waivers signed by the employee; copies of dated termination notices; and any other documents relating to disciplinary action regarding the employee.
- The Head of School shall have overall responsibility for maintaining and preserving the confidentiality of the personnel records within the provisions of applicable law.
- Personnel records are considered confidential and will not be open to public inspection. Access to personnel records will be limited to authorized persons with a job-related need to know the information.
- Each employee will have the right, upon written request, to review the contents of his/her own personnel record. The review shall take place in an administrative office and during normal business hours.
- The Head of School shall notify an employee within 10 days of placing in the employee's personnel record any information to the extent that the information is, has been used or may be used, to negatively affect the employee's qualification for employment, promotion, transfer, additional compensation or the possibility that the employee will be subject to disciplinary action.
- If there is a disagreement with any information contained in a personnel record, removal or correction of such information may be mutually agreed upon by The Head of School and the employee. If an agreement is not reached, the employee may submit a written statement explaining the employee's position which shall thereupon be contained therein and shall become a part of such employee's

Marblehead Community Charter Public School

5.g. Personnel Records Policy

[Effective Date]

personnel record. The statement shall be included when said information is transmitted to a third party as long as the original information is retained as part of the file.

- Lists of employees' names and other personally-identifiable information will be released only to governmental agencies as required by applicable law.

- Former employees of Marblehead Community Charter Public School shall also be entitled to access their personnel records in accordance with the procedure set forth herein.

- Marblehead Community Charter Public School shall maintain personnel records of all former employees for three years from the date of that employee's departure from Marblehead Community Charter Public School.

Marblehead Community Charter Public School
5.j. Policy Concerning Teacher Contracts and Compensation Plans
[Effective Date]

Policy Concerning Teacher Contracts and Compensation Plans

Marblehead Community Charter Public School shall enter into employment agreements with professional employees to the extent required by applicable law.

In establishing compensation for personnel, the Head of School will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school. Compensation plans will be reviewed annually for all categories of staff.