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BA - SCHOOL COMMITTEE OPERATIONAL GOALS

The Middleborough School Committee is responsible to the people for whose benefit the school system has been established. The Committee's current decisions will influence the course of education in our schools for years to come. The Committee and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate problems.

The School Committee's primary responsibility is to establish those purposes, programs, and procedures that will best produce the educational achievement needed by our students. The Committee is charged with accomplishing this while also being responsible for wise management of resources available to the school system. The Committee must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and by evaluating the results. It must carry out its functions openly, while seeking the comments of public, students, and staff in its decision-making processes.

In accordance with these principles, the technique will involve:

1. Periodically setting performance objectives for the School Committee itself and evaluating their accomplishment.
2. Setting objectives for performance for each position and function in the system.
3. Allowing the people responsible for carrying out objectives to have a role in setting them.
4. Establishing attainable and reasonable goals.
5. Conducting a concrete and periodic review of performance against these goals.

CROSS REF.: ADA, School District Goals and Objectives

Revised and Approved - 2014

BAA - EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

The Middleborough School Committee will periodically establish realistic objectives related to Committee procedures and relationships. At the end of a specified length of time, the Committee will measure its performance against the stated objectives.

The following areas of School Committee operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Communication with the public
2. School Committee - Superintendent relationships
3. School Committee member development and performance
4. Policy development
5. Educational leadership
6. Fiscal management
7. School Committee meetings
8. Performance of subcommittees of the School Committee
9. Interagency and governmental relationships

When the Committee has completed its self-evaluation based on established goals and objectives, the members will discuss the results in detail and formulate a new series of objectives. At the same time, the Committee will set an approximate date on which the next evaluation will be conducted.

Implied in the concept of evaluation is an assumption that individuals and committees are capable of improvement. The School Committee believes that its performance will be improved if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

Revised and Approved - 2014

BB - SCHOOL COMMITTEE LEGAL STATUS

State law provides that:

Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its registered voters the following town officers for the following terms of office:

. . . Six members of the School Committee for terms of three years . . .

The School Committee is composed of six members, each serving three year staggered terms. Insofar as possible, one-third (two) of the members shall be elected annually.

A School Committee member begins his/her term of office on the day after his/her election, or as soon thereafter as he/she takes the oath of office.

The School Committee is the governing board of the town's public school system. Although its functions as a duly elected committee of town government, the School Committee has, unlike other town boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

LEGAL REFS.: M.G.L. 41:1 and 71:37 specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFS.: AA, School District Legal Status
BBA, School Committee Powers and Duties

Revised and Approved - 2014

BBA - SCHOOL COMMITTEE POWERS AND DUTIES

The Middleborough School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its functions. It sees them as:

1. **Legislative or policy making.** The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.
2. **Appraisal.** The Committee is responsible for evaluating the effectiveness of its policies and their implementation.
3. **Provision of financial resources.** The Committee is responsible for adoption of a budget that will enable the school system to carry out the Committee's policies.
4. **Public relations.** The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the school staff informed about the needs and wishes of the public.
5. **Educational planning and evaluation.** The Committee is responsible for establishing educational goals and policies that will guide the Committee and staff for the administration and continuing improvement of the educational programs provided by the school district.

LEGAL REF.: M.G.L. 71:37 specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.

CROSS REF.: BB, School Committee Legal Status

Revised and Approved - 2014

BBAA - SCHOOL COMMITTEE MEMBER AUTHORITY

Authority

Because all powers of the School Committee derived from state laws are granted in terms of action as a group, members of the School Committee have authority only when acting as a Committee legally in session.

The School Committee will not be bound in any way by any statement or action on the part of an individual member except when such statement or action is a result of specific instructions of the Committee.

No member of the Committee, by virtue of his/her office, will exercise any administrative responsibility with respect to the schools or command the services of any school employee.

The School Committee will function as a body and all policy decisions and other matters, as required by law, will be settled by an official vote of the Committee sitting in formal session.

Duties

The duties and obligations of the individual Committee member may be enumerated as follows:

1. To become familiar with the General Laws of the Commonwealth relating to education and School Committee operations, regulations of the Massachusetts Board of Education, policies and procedures of this School Committee and school department.
2. To keep abreast of new laws and the latest trends in education.
3. To have a general knowledge of the goals, objectives, and programs of the town's public schools.
4. To work effectively with other Committee members without trying either to dominate the Committee or neglect his/her share of the work.
5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.
6. To vote and act in Committee impartially for the good of the students.
7. To support the will of the majority vote in all cases, and to remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.

File: BBAA

8. To represent the Committee and the schools to the public in a way that promotes interest and support.
9. To refer questions and complaints to the proper school authorities.
10. To comply with the Code of Ethics for School Committee members. (File: BCA)

Revised and Approved - 2014

BBBA/BBBB - SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

In order to serve on the School Committee, an individual must be a registered voter in the town from which he/she is elected or appointed and must take an oath of office as required by law.

Each new member will present to the Committee secretary official certification of having sworn the oath before an officer duly qualified to administer oaths prior to entering on his/her official duties as a member of the Committee. From the town clerk, newly qualified Committee members--by law--receive, and sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

Membership on a School Committee is not limited to race, color, sex, religion, national origin, or sexual orientation, or political conviction.

Should a School Committee member move out of town, he/she shall be deemed to have vacated his/her office. The members of the School Committee serve without compensation.

Established by law

LEGAL REFS.: M.G.L. 39:23B; 41:1; 41:107; 76:5 Amended 1993

Revised and Approved - 2014

BBBC/BBBE - TERMINATION OF OFFICE AND FILLING VACANCIES

An existing Middleborough School Committee member terminates his/her duties upon the qualification of the newly elected or appointed member to the School Committee.

A vacancy on the School Committee may occur for a number of reasons: failure of the annual town election to elect a member, resignation, moving out-of-town, vacating the office, death, or removal from office

Resignation from the School Committee is by letter to the town clerk. It is the duty of the town clerk to inform the remaining School Committee members as well as the executive officers of the town of the receipt of a resignation.

If there is a vacancy on the School Committee, the remaining members will give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining members, shall, after one week's notice, fill such vacancy by ballot. The selectmen shall fill such vacancy if the School Committee fails to give notice within the time as specified.

A person who has been appointed to fill a vacancy in the membership of the School Committee terminates his/her duties at the time of the next annual meeting or when another member is qualified.

If a School Committee member serves as a consequence of a vote by the town to increase the membership on the School Committee, he/she will terminate his/her duties according to the tenure of the class to which he/she was chosen; that is, a member chosen to one, two, or three year class terminates his/her duties at the end of one, two, or three years respectively.

LEGAL REFS.: M.G.L. 41:2, 41:11; 41:109

Revised and Approved - 2014

BCA - CODE OF ETHICS FOR SCHOOL COMMITTEE MEMBERS

The acceptance of a code of ethics implies the understanding of the basic organization of School Committees under the laws of the Commonwealth of Massachusetts. The oath of office of a School Committee member binds the individual member to adherence to those state laws which apply to School Committees since School Committees are agencies of the state.

A School Committee member in his/her relations with his/her community should:

1. Realize that his/her primary responsibility is to the children.
2. Recognize that his/her basic function is to the policy-making and not administrative.
3. Remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
4. Be well informed concerning the duties of a Committee member on both a local and state level.
5. Remember that he/she represents the entire community at all times.
6. Accept the office as a Committee member as a means of unselfish service with no intent to "play politics," in any sense of the word, or to benefit personally from his/her Committee activities.

A School Committee member in his/her relations with his/her school administration should:

1. Endeavor to establish sound, clearly defined policies which will direct and support the administration.
2. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
3. Act only on the recommendations of the chief administrator in all matters of employment or dismissal of school personnel.
4. Give the chief administrator full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results.
5. Refer all complaints to the administrative staff for solution and only discuss them at Committee meetings if such solutions fail.

A School Committee member in his/her relations to his/her fellow Committee members should:

1. Recognize that action at official meetings is binding and that he/she alone cannot bind the Committee outside of such meetings.
2. Realize that he/she should not make statements or promises of how he/she will vote on matters that will come before the Committee.
3. Uphold the intent of executive sessions and respect the privileged communication that exists in executive sessions.
4. Not withhold pertinent information on school matters or personnel problems, either from members of his/her own Committee or from members of other Committees who may be seeking help and information on school problems.
5. Make decisions only after all facts on a question have been presented and discussed.

Revised and Approved - 2014

BDA - SCHOOL COMMITTEE ORGANIZATIONAL MEETING

For the purpose of organizing, the School Committee, at its first regular meeting following the District's annual elections, will elect from its membership a Chair, a Vice-Chair, and a clerk, all of whom will hold their respective offices for a term of one year or until a successor is elected.

In the event the Chair and Vice-Chair are no longer members of the School Committee, the senior member (years served) will act as the Chair Pro-Tem.

A majority of the members of the School Committee will constitute a quorum. The election will proceed as follows:

1. Nominations for the office of Chair will be made from the floor. The Chair will be elected by a majority roll-call vote of the members present and voting. If no nominee receives a majority vote, the election will be declared null and void and nominations will be reopened.
2. Upon election, the new Chair will preside, calling for the election of a Vice-Chair and clerk, in order. The procedure used for their election will be the same as that for electing the Chair.

Any vacancy among the officers occurring between organizational meetings will be filled by a member elected by the School Committee. The election will be conducted as described above.

Following election of officers at its organizational meeting, the School Committee may proceed into such regular or special business as scheduled on the agenda.

Revised and Approved - 2014

BDB - SCHOOL COMMITTEE OFFICERS

Duties of the Chair

The Chair of the School Committee has the same powers as any other member of the Committee to vote upon all measures coming before it, to offer resolutions and to discuss questions. The Chair will perform those duties that are consistent with their office and those required by law, state regulations, and this Committee. In carrying out these responsibilities, the Chair will:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Committee.
2. Consult with the Superintendent in the planning of the Committee's agendas.
3. Confer with the Superintendent on crucial matters that may occur between Committee meetings.
4. Appoint subcommittees, subject to Committee approval.
5. Call special meetings of the Committee as found necessary.
6. Be public spokesperson for the Committee at all times except as this responsibility is specifically delegated to others.
7. Be responsible for the orderly conduct of all Committee meetings.

As presiding officer at all meetings of the Committee, the Chair will:

1. Call the meeting to order at the appointed time.
2. Announce the business to come before the Committee in its proper order.
3. Enforce the Committee's policies relating to the order of business and the conduct of meetings.
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
5. Explain what the effect of a motion would be if this is not clear to members.
6. Restrict discussion to the question when a motion is before the Committee.
7. Answer all parliamentary inquiries.
8. Put motions to a vote, stating definitely and clearly the vote and result thereof.

In the event a posted School Committee Meeting is cancelled due to unforeseen circumstances, such as a lack of quorum or weather event, the Chair is authorized to act on time-sensitive routine items, included but not limited to, school trips expecting travel to occur between 12am and 6am listed on the cancelled meeting's posted agenda. Time-sensitive items are those listed to occur prior to the next scheduled School Committee meeting that require School Committee action. The Chair is also authorized to act on requests not yet posted on an agenda, provided the requests are submitted and scheduled to occur between School Committee meetings, but only when meetings occur more than three weeks apart. Chair action is only permitted if a time-sensitive item has already been approved by the applicable building Principal and with the support of the Superintendent. Any time sensitive approvals will be presented to the School Committee at the next available meeting for informational purposes.

Duties of the Vice-Chair

The Vice-Chair of the Committee will act in the absence of the Chair as presiding officer of the Committee and be authorized to carry out the duties of the Chair. In addition, the Vice-Chair will perform such other duties as may be delegated or assigned to the Vice-Chair by the Chair.

Clerk

The clerk will keep or cause to be kept an accurate journal of all Committee meetings; will comply with state law and Committee policy regarding notification of meetings; and will render such reports as may be required by the state or the town.

If the clerk is unable to perform the clerk's duties, the Committee may appoint a temporary clerk until the appointed clerk is able to resume or a new clerk is duly appointed.

LEGAL REF.: M.G.L. 71:36

Note: The treasurer of the town serves as treasurer of the School Committee.

Revised and Approved at the April 10, 2025 School Committee Meeting

APPOINTED COMMITTEE OFFICIALS

The Superintendent shall be appointed by vote of the Committee as provided by law and perform all the duties that are prescribed by law and such other duties, not inconsistent there to, as a majority of the Committee may direct.

Revised and Approved - 2014

BDD - SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

The Committee will leave to the Superintendent all matters of decision and administration that come within his/her scope as executive officer or as professional leader of the school system. While the Committee reserves to itself the ultimate decision of all matters concerning general policy or expenditures of funds, it will normally proceed in these areas after receiving recommendations from its executive officer. Further:

1. The Superintendent will have the privilege of asking guidance from the Committee with respect to matters of operation whenever appropriate. If it is necessary to make exceptions to an established policy, he/she will submit the matter to the Committee for advice and direction.
2. The Superintendent will assist the Committee in reaching sound judgments and establishing policies, and will place before the Committee all relevant facts, information, and reports necessary to keep the Committee adequately informed of situations or business at hand.

Revised and Approved - 2014

BDE - SUBCOMMITTEES OF THE SCHOOL COMMITTEE

The School Committee shall appoint members to subcommittees at their annual organizational meeting for a period of one year. These subcommittees may be created for a specific purpose and to make recommendations for Committee action.

1. The subcommittee will be established through action of the Committee.
2. The Committee chairperson, subject to approval by the Committee, will appoint the subcommittee chairperson and its members.
3. The subcommittee will be provided with a list of its functions and duties.
4. The subcommittee may make recommendations for Committee action, but it may not act for the School Committee.
5. All subcommittees of the School Committee are subject to the provisions of the Open Meeting Law.

LEGAL REF.: M.G.L. 30A:18-25

CROSS REF.: BEC, Executive Sessions

Revised and Approved - 2014

BDF - ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE

The following general policies will govern the appointment and functioning of advisory committees to the School Committee other than the student advisory committee, which is governed by the terms of the Massachusetts General Laws.

1. Advisory committees may be created by the School Committee to serve as task forces for special purposes or to provide continuing consultation in a particular area of activity. However, there will be no standing overall advisory committee to the School Committee.
2. If an advisory committee is required by state or federal law, its composition and appointment will meet all the guidelines established for that particular type of committee.
3. The composition of task forces and any other advisory committees will be broadly representative and take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to the committee as members or consultants, as found desirable.
4. Appointments to such committees will be made by the Committee; appointment of staff members to such committees will be made by the School Committee upon recommendation of the Superintendent.
5. Tenure of committee members will be one year only unless the member is reappointed.
6. Each committee will be clearly instructed as to:
 - a. The length of time each member is being asked to serve.
 - b. The assignment the School Committee wishes the committee to fulfill and the extent and limitations of its responsibilities.
 - c. The resources the School Committee will provide.
 - d. The approximate dates on which the School Committee wishes to receive major reports.
 - e. School Committee policies governing citizens, committees and the relationship of these committees to the School Committee as a whole, individual School Committee members, the Superintendent, and other members of the professional staff.
 - f. Responsibilities for the release of information to the press.
7. Recommendations of committees will be based upon research and fact.

8. The School Committee possesses certain legal powers and prerogatives that cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the School Committee.
9. Advisory committees created under this policy are subject to the provisions of the Open Meeting Law.

The Committee will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the life of any committee.

LEGAL REF.: M.G.L. 30A:18-25

CROSS REF.: JIB, Student Involvement in Decision-making

Revised and Approved - 2014

BDFA - SCHOOL COUNCILS

The Middleborough School Committee believes that the school is the key unit for educational improvement and change and that successful school improvement is best accomplished through a school-based decision-making process. By involving those directly affected by any action or decision of the school council in the process of determining that action or decision, it helps to strengthen the commitment to those decisions by those most affected by its implementation.

Under this policy, the Principal shall have primary responsibility for the management of the school. Decisions which are made at the school level must be aligned with the budget, policies, curriculum, and long range and short range goals adopted by the School Committee. In addition, decisions must comply with any state and federal laws and regulations and with any negotiated agreements of the school district.

As enacted by the state legislature in the Education Reform Act of 1993, a school council shall be established in each school to advise the Principal in specific areas of school operation. The Principal, except as specifically defined in the law, 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.

The following guidelines define the role of the school council:

The School Council shall meet regularly with the Principal of the school and shall assist in:

1. Adoption of educational goals for the school that are consistent with state and local policies and standards.
2. Identification of the educational needs of the students attending the school.
3. Review of the school building budget.
4. Formulation of a school improvement plan that may be implemented only after review and approval by the School Committee.

LEGAL REFS.: M.G.L. 71:38Q, 71:59C

Revised and Approved - 2014

BDFA-E-1 - SCHOOL IMPROVEMENT PLAN

The Principal, in conjunction with the school council, shall be responsible for preparing a written school improvement plan annually, and submitting it for approval to the Superintendent and the School Committee. The plan should be drafted with the following in mind:

1. The educational goals for the school consistent with the goals and standards, including student performance standards, as adopted by the Massachusetts Board of Elementary and Secondary Education and by the School Committee.
2. An assessment of the needs of the school in light of the proposed educational goals.
3. The means to address student performance.
4. Professional development for the school's professional staff.
5. The enhancement of parental involvement in the life of the school, safety, and discipline.
6. The development of means for meeting the diverse learning needs of every child.
7. Any further subjects as the Principal, in consultation with the school council, shall consider appropriate, except that:
 - a. The council shall have no authority over matters that are subject to Chapter 150E, the collective bargaining law, and
 - b. The council may not expand the scope of its authority beyond that established in law or expressly granted by School Committee policy.

Revised and Approved - 2014

BDFA-E-2 - SUBMISSION AND APPROVAL OF THE SCHOOL IMPROVEMENT PLAN

The written school improvement plan shall be submitted by the Principal to the Superintendent and the School Committee for review and approval annually.

Because the implementation of the plan is dependent on School Committee approval, it is important that the school council be aware of certain expectations of the School Committee regarding the school improvement plan. The school improvement plan should:

1. Focus on improvement of student learning.
2. Specify expected student outcomes and measurable/observable results.
3. Align with the Mission of the school district and any goals and policies of the school district.
4. Be consistent with state and federal law, school district policy, established curriculum and negotiated agreements.
5. Clearly identify actions to be taken on how changes will be implemented.
6. Include a plan on how to solicit community support for the changes being developed.
7. Indicate anticipated costs and available funding sources.
8. Delineate the method of evaluating and reporting progress and results.

If the school improvement plan is not approved by the Superintendent and School Committee, it shall be returned to the Principal with specific comments as to the reason(s). The Principal shall revise the plan in cooperation with the school council, and resubmit it for approval. If the school improvement plan is not reviewed by the School Committee within 30 days of its receipt by the Committee, the plan shall be deemed to have been approved.

Revised and Approved - 2014

BDFA-E-3 - CONDUCT OF SCHOOL COUNCIL BUSINESS

The Principal shall, by law, serve as co-chair of the council. The second co-chair will be elected annually by the council members at its first meeting of the school year subsequent to the elections of new council members. The co-chairs will be responsible for the preparation of the agenda for the council meetings.

The school council shall meet at least once monthly during the school year. Meetings will be held outside of school hours. At its first meeting of the school year, the council will set its calendar of regular meetings for the year. Where circumstances warrant, the council may choose to call additional meetings.

Consensus shall be used by school councils as the primary method to resolve issues and to formulate recommendations. Votes by majority may be taken at the discretion of the Principal and Robert's Rules of Order shall prevail if there are questions of procedure.

All meetings of the school council shall conform to the Open Meeting Law, Chapter 30A, Sections 18-25, which stipulate that all meetings be open to the public, that meetings be posted at least 48 hours in advance, and that minutes of the meeting shall be maintained as required. The scope of the school council does not require, and therefore does not qualify for, executive session.

The Superintendent shall receive agendas and minutes of all school council meetings. The Superintendent shall provide copies of these materials to members of the School Committee for information.

Revised and Approved - 2014

BDG - SERVICES OF LEGAL COUNSEL

Subject to acceptance of the provisions of the law by the town, the School Committee may employ legal counsel for the general purposes of the Committee from funds appropriated for school purposes. The following are among the general duties of legal counsel with reference to educational matters:

- To advise and furnish the School Committee legal opinion, verbally and in writing, as directed, on all matters and questions of law, including interpretations of old and new statutes.
- To attend all meetings at the request of the School Committee.
- To prepare legal instruments and contracts, including resolutions, advertising of bids, and all other legal papers as directed by the School Committee.
- When needed, to commence and prosecute all legal action brought by the School Committee.
- To represent and defend School Committee members and school district employees in any legal action against them which has arisen from the carrying out of regular responsibilities and the performance of regular duties.

The School Committee may employ legal counsel in connection with collective bargaining with employee organizations for school employees.

LEGAL REFS.: M.G.L. 71:37E and F

Revised and Approved - 2014

BE - SCHOOL COMMITTEE MEETINGS

The School Committee will transact all business at official meetings of the Committee. These may be either regular or special meetings, defined as follows:

1. **Regular meeting**: the usual official legal action meeting, held regularly
2. **Special meeting**: an official legal action meeting called between scheduled regular meetings to consider specific topics.

Every meeting of the School Committee, regular or special, will be open to the public unless an executive session is held in accordance with state law.

LEGAL REFS.: M.G.L. 30A:18-25

CROSS REFS.: BEC, Executive Sessions
BEDA, Notification of School Committee Meetings

Revised and Approved - 2014

BEC - EXECUTIVE SESSIONS

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.
2. The Chairperson (or, in his/her absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.
3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.
4. The Chairperson or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.
2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.
5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.
7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.

8. And to consider and interview applicants for employment by a preliminary screening committee (The only position that the school committee would be involved in that might qualify would be for the position of Superintendent.) This exemption only applies if it can be determined that an open meeting will have a detrimental affect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.

9. To meet or confer with a mediator with respect to any litigation or public business.

10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

(In the first case, an open meeting will be held if the individual involved so requests.)

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

Established by law and Committee policy

LEGAL REFS.: M.G.L. 30A:21; 30A:22

CROSS REFS.: BDE, Subcommittees of the School Committee
BE, School Committee Meetings
KEB, Public Complaints about School Personnel

BEDA - NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

As required by law, a minimum of 48 hours' advance notice (excluding Saturdays, Sundays and legal holidays) will be given for any meeting of the School Committee, including all subcommittee meetings. The only exception permitted is in case of emergency, which the law defines as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action."

Notification of the dates, times, and places of regular meetings may be accomplished by periodic publication of the schedule for the ensuing months. However, a minimum of 48 hours prior to each meeting the Committee shall cause to be posted a listing of each subject the Chair reasonable anticipates will be discussed at the meeting (the agenda). Notification of a change in a regular meeting time or place and notification of a special meeting will be filed with the town clerk at least 48 hours in advance, as required by law.

SOURCE: MASC July 2016

LEGAL REFS.: M.G.L. 30A:18-25

CROSS REF.: BE, School Committee Meetings

BEDB - AGENDA FORMAT

The Superintendent, conferring with the Chairperson of the School Committee, will arrange the order of items on meetings agendas so that the Committee can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping with the business at hand.

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Committee, or to expedite Committee business.

Any School Committee member, staff member, or citizen may suggest items of business. The inclusion of such items, however, will be at the discretion of the Chair of the Committee. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent.

The agenda will also provide for time when any citizen who wishes to speak briefly before the School Committee

The agenda, together with supporting materials, will be distributed to School Committee members no less than three business days prior to the meeting to permit adequate time to prepare for the meeting

Agendas will be posted and made available to the public at least forty-eight hours in advance of the meeting.

BEDC - QUORUM AND VOTING METHOD

The quorum for calling a meeting to order and for the transaction of business shall be a majority of the Committee, but a number less than the majority may adjourn a meeting.

All voting at Middleborough School Committee meetings must be by voice or roll call vote and no secret or written ballot shall be used. Votes relayed by telephone or written votes by absent members are not valid.

The chairperson shall normally call for a voice vote for the transaction of business. If he/she or any other member questions the voice vote, the chairman shall call for a show of hands. Votes by show of hands shall affirmative, negative, or abstaining and shall be so recorded. It shall be the privilege of any member to have his/her vote or any motion recorded by name.

No action shall carry unless it shall receive the vote of a majority of the members present.

LEGAL REF.: M.G.L. 30A: 18-25

REF: Robert's Rules of Order, Newly Revised,

BEDD - RULES OF ORDER

Robert's Rules of Order, Newly Revised will govern the proceedings of the Committee, except when those rules are in conflict with the Committee's approved policies and regulations.

In accordance with Robert's Rules, the Committee may suspend parliamentary rules of order by a two-thirds vote.

BEDDC - ADJOURNMENT TIME FOR MEETINGS

The School Committee seeks to adjourn each meeting no later than 11:00 P.M. A majority vote of the School Committee is required to continue business past 11:00 P.M.

Business, which is “unfinished” at that time, may be placed on the agenda of the next regular or special meeting of the School Committee.

BEDF - VOTING METHOD

Open meeting

Votes of the School Committee will be taken by voice vote or a hand count and shall be recorded in the minutes. If the vote is unanimous only that fact need be recorded. No vote taken at an open session shall be by secret ballot.

All actions will require a majority vote of all members present and voting except as state law, Robert's Rules of Order, Newly Revised, or policies of this Committee require a larger majority. A majority of the members of the School Committee will constitute a quorum.

A two-thirds vote will be required to suspend parliamentary rules of order.

Executive Session

A majority of the members of the School Committee must vote to enter into executive session, with the vote taken by roll call and recorded in the official minutes.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions. Any votes taken to ratify employment contracts or collective bargaining agreements shall be taken in open session.

LEGAL REFS.: M.G.L. 30A:18-25; 71:42; 71:50

BEDG - MINUTES

The minutes of a School Committee meeting constitute the written record of Committee actions; they are legal evidence of what the action was. Therefore, the secretary of the School Committee will be responsible for reporting in the minutes all actions taken by the Committee.

Minutes will include:

1. A statement on the nature of the meeting (regular or special), the time, the place, and the approval of the last regular and each subsequent special meeting.
2. Names of the members present or absent, annotated as to arrival and departure times, if during the meeting.
3. A complete record of official actions taken by the Committee relative to the Superintendent's recommendations, to communications, and to all business transacted. Resolutions and motions will be given in their exact wording, accompanied by the names of members moving and seconding and a record of the results of the vote. Reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
4. Notation of formal adjournment.

Copies of the minutes will be sent to all Committee members with the agenda materials in advance of the meeting at which the minutes are to be approved.

The approved minutes will become permanent records of the Committee. Minutes of public meetings and minutes of executive sessions that have been declassified will be in the custody of the Superintendent who will make them available to interested citizens upon request.

LEGAL REFS.: M.G.L. 30A:22; 66:10

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

BEDH - PUBLIC PARTICIPATION AT SCHOOL COMMITTEE MEETINGS

The School Committee welcomes public comment on items that are within the scope of the School Committee's responsibilities. The Public Comment agenda is reserved for this purpose. Members of the public wishing to address the Committee should be aware of the following guidelines:

- The Chair will recognize those wishing to speak and give them the floor. Only persons recognized by the Chair may speak. For the purpose of the minutes, speakers should identify themselves at the beginning of their remarks. The Chair shall determine the length of the public comment segment.
- The purpose of Public Comment is to receive input from the community, not to engage in conversation with the Committee. The Chair will ensure that any comment or question that requires a response from the Committee or the School Department will be addressed in a timely manner.
- All comments should be addressed through the Chair, not to any individual committee member or others in attendance.
- Speakers are expected to respect confidentiality. That includes the confidentiality of the speaker's own children, as well as that of the school staff and personnel.

Revised and approved, September 21, 2017 School Committee Meeting

BEDH-E - GUIDELINES FOR PUBLIC COMMENT

A School Committee Meeting is a meeting of a government body at which members of the body deliberate over public business. We welcome the attendance of members of the school district community to view your School Committee as it conducts its regular business meeting.

Massachusetts General Laws Chapter 30A Section 20(f) governs public participation at open meetings covering all public bodies.

Chapter 30A:20 (Notice, Remote Participation, Public Participation, Certification)

(f) 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.

The School Committee believes that the school district community should have an opportunity to comment to the Committee on issues that affect the school district and are within the scope of the Committee's responsibilities. Therefore, the Committee has set aside a period of time at each School Committee meeting to hear from the public. In addition, if the Committee believes that an issue requires a dialogue with the school district community, the Committee may schedule a separate public hearing on that issue.

Any citizen who wishes to make a presentation to the School Committee on an item which is of interest to them and within the scope of the Committee's responsibilities may request to be placed on the agenda for a particular meeting. Such request should be in writing and should be received by the Superintendent of Schools at least one week prior to the date of the meeting. Such request should contain background statements which would explain the scope and intent of the agenda item. The Chair of the Committee works with the Superintendent to formulate the meeting agendas. Together they will determine whether or not to place an item on the agenda and if the item is to be taken up they will also determine when to place an item on the agenda and all parameters to be required of the presenter.

Here are the general rules for the Committee's public comment period:

1. Any citizen wishing to speak before the Committee shall identify themselves by name and address and shall speak for no longer than 3 minutes. No citizen may speak more than once without permission of the Chair. All citizens shall speak to the full Committee through the Chair and shall not address individual members or administrators.
2. Individuals may address topics on the agenda, items specified for public comment, or items within the scope of responsibility of the School Committee. The Chair shall rule out of order any individual who fails to honor the guidelines or who addresses a matter inappropriate for public comment.
3. Any Committee member may direct questions to the speaker through the Chair in order to clarify comments of the speaker.

BEE - SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

In conducting all public hearings required by law, and others as it deems advisable, the Middleborough School Committee will:

1. Give due and public notice in line with statutory requirements and seek to publicize the meeting in all local media.
2. Make available printed information on the topic of the hearing.
3. Give all persons an equal opportunity to be heard in accordance with the Committee's policy.

The chairperson of the Committee will preside at the hearing.

The public will be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Committee, or by others for the Committee; to comment, citizens must be recognized by the chair, and all remarks must be addressed to the chair and be germane to the topic. To assure that all who wish get a chance to speak, the chair will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

BGB - POLICY ADOPTION

Adoption of new policies or changing existing policies is solely the responsibility of the Middleborough School Committee. Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the School Committee when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as an agenda item to the Committee in the following sequence:

1. Information item - distribution with agenda
2. Discussion item - first reading of proposed policy or policies; response from Superintendent; report from any advisory committee assigned responsibility in the area; Committee discussion and directions for any redrafting
3. Action item - discussion, adoption or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Committee so directs.

The School Committee may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the School Committee. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation.

BGC - POLICY REVISION AND REVIEW

In an effort to keep its written policies up to date so that they can be used consistently as a basis for Middleborough School Committee action and administrative decision, the Committee will review its policies on a regular basis.

The Committee will evaluate how the policies have been executed by the school staff and will weigh the results. It will rely on the school staff, students, and the community for providing evidence of the effect of the policies it has adopted.

The Superintendent is given the continuing commission of calling to the Committee's attention all policies that are out of date or for other reason appear to need revision.

The School Committee directs the Superintendent to periodically recall all policy and regulations manuals for administrative updating and Committee review.

BGD - SCHOOL COMMITTEE REVIEW OF PROCEDURES

It is expected that the Superintendent and administrative staff will need to issue procedures implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the procedures developed by the Superintendent for the school system whenever they appear inconsistent with policy, goals, or objectives of the district, but it will revise or veto such procedures only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve procedures except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for a procedure to have the Committee's advance approval.

Before issuance, procedures will be properly titled and coded as appropriate to subject and in conformance with the codification system selected by the Committee. Those officially approved by the Committee will be so marked; all others appearing in the manual will be considered approved provided they are in accordance with the accompanying Committee policy.

Rules Pertaining to Staff and Student Conduct

Under Massachusetts law, the Superintendent is required to publish "rules and regulations pertaining to the conduct of teachers and students which have been adopted." Codes of discipline, as well as procedures used to develop such codes shall be filed with the Department of Elementary and Secondary Education for information purposes only. Standards of conduct will be included in staff and student handbooks. These handbooks will be reviewed and approved annually by the School Committee.

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

BGE - POLICY DISSEMINATION

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Committee and the regulations needed to put them into effect.

Accessibility is to extend at least to all employees of the school system, to members of the Committee, and, insofar as conveniently possible, to all persons in the community. A policy concerning a particular group or groups in the schools will be distributed to those groups prior to the policy's effective date.

All policy manuals distributed to anyone will remain the property of the Committee and will be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary for purposes of updating.

The School Committee's policy manual will be considered a public record and will be available for inspection at the Superintendent's office.

BGF - SUSPENSION OF POLICIES

The operation of any section or sections of Middleborough School Committee policies not established by law or contract may be temporarily suspended by a two-thirds vote of Committee members present at any regular or special meeting. Any action to suspend policy must be reviewed at the next scheduled meeting and will be so noted on the agenda for that meeting.

BHC - SCHOOL COMMITTEE-STAFF COMMUNICATIONS

The School Committee wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent.

Staff Communications to the School Committee

All communications or reports to the Committee or any of its subcommittees from Principals, supervisors, teachers, or other staff members will be submitted through the Superintendent. This procedure does not deny the right of any employee to appeal to the Committee for administrative decisions on important matters, except those matters that are outside of the Committee's legal authority, provided the Superintendent has been notified of the forthcoming appeal and that it is processed in accordance with the Committee's policy on complaints and grievances. Staff members are also reminded that Committee meetings are public meetings. As such, they provide an excellent opportunity to observe first hand the Committee's deliberations on problems of staff concern.

School Committee Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep staff fully informed of the Committee's problems, concerns and actions.

Visits to Schools

Individual School Committee members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the Principals of the various schools. Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Committee members will be carried on only under Committee authorization.

BHE - USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), text messages, social media postings, internet web forums, and internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including, but not limited to, the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the School Committee chairperson, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic mail correspondence between and among members of the School Committee, or the district shall provide district email addresses, which are archived. These copies shall be printed and retained in the central office in the same fashion as any other School Committee records. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

LEGAL REF.: M.G.L.4:7; 30A:18-25, 66:10

BIA - NEW SCHOOL COMMITTEE MEMBER ORIENTATION

In accordance with the requirements of law, each new School Committee member elected to the School Committee is required to complete, within one year of their election or appointment, at least eight hours of orientation training. This orientation shall include, but is not limited to, a review of School Finance, the Open Meeting Law, Public Records Law, Conflict of Interest Law, Special Education Law, Collective Bargaining, School Leadership Standards and Evaluations, and the Roles and Responsibilities of School Committee Members.

The School Committee and Superintendent shall assist each new member to understand the Committee's functions, policies and procedures of the Committee as soon after election as possible. Each new member shall be given or provided direct online access to the following materials:

- A. A copy of the School Committee policy manual
- B. A copy of the Open Meeting Law
- C. A copy of the Ethics/ Conflict of Interest Regulations
- D. A copy of the district's budget
- E. Collective bargaining agreements and contracts
- F. Student and staff handbooks

Each new member shall also receive any other materials the Chair and/or the Superintendent determine to be necessary.

The Chair and/or Superintendent shall also clarify policy:

- A. arranging visits to schools or administrative offices
- B. requesting information regarding school district operations
- C. responding to community requests/complaints concerning staff or programs
- D. handling confidential information

Whether appointed or elected, new members should be advised that they are also members of the Massachusetts Association of School Committees, Inc. and should be encouraged to utilize the services and resources MASC provides by attending meetings or workshops specifically designed for new Committee members. Their expenses at these meetings or workshops will be reimbursed in accordance with established School Committee policy.

LEGAL REF.: M.G.L. 71:36A

BIBA - SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

To provide continuing in-service training and development for its members, the School Committee encourages the participation of all members at appropriate School Committee conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the Committee establishes these principles and procedures for its guidance:

1. The School Committee shall be made aware of School Committee conferences, conventions and workshops. The Committee will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school system.
2. Funds for participation at such meetings will be budgeted for on an annual basis. When funds are limited, the Committee will designate which of its members would be the most appropriate to participate at a given meeting.
3. Reimbursement to Committee members for their travel expenses will be in accordance with the travel reimbursement policy.
4. When a conference, convention, or workshop is not attended by the full Committee, those who do participate will be requested to share information, recommendations and materials acquired at the meeting.

LEGAL REFS.: M.G.L. 40:5

CROSS REFS.: BID, School Committee Member Compensation and Expenses
DKC, Expense Reimbursements

BID - SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES

The Middleborough School Committee shall serve without compensation. No member of a School Committee shall be eligible to the position of teacher or Superintendent of Schools.

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Committee, members may be reimbursed from school funds.

Reimbursable expenses may include the cost of attendance at conferences of School Committee associations and other professional meetings or visitations when such attendance and expense payment has had prior School Committee approval.

LEGAL REFS.: M.G.L. 40:5; 71:52

BIE - BOARD MEMBER INSURANCE/LIABILITY

The town may, subject to appropriation, indemnify School Committee for expenses or damages incurred in the defense or settlement of a claim.

The claim must have arisen while such School Committee member was acting within the scope of his/her official duties.

The amount of indemnification is not to exceed one hundred thousand dollars for each member.

The defense or settlement of such claim shall have been made by the town counsel, or by an attorney legally employed for the purpose by the town, or by an attorney furnished by the insurer obligated under the terms of a policy of insurance to defend the town against such claim.

LEGAL REF.: M.G.L. 258:13

BK - SCHOOL COMMITTEE MEMBERSHIPS

The Committee will maintain memberships in the national, state and regional School Committees (boards) associations and take an active part in the activities of these groups.

It may also maintain institutional memberships in other educational organizations, which the executive officer and Committee find to be of benefit to members and personnel.

The materials and benefits of institutional memberships will be distributed and used to the best advantage of the Committee and the staff.