

Farmington River Regional School District

School Committee Meeting

Meeting #433

Farmington River Elementary School Library
Monday, June 5th, 2023
7:00 PM

MINUTES

Masks Optional

*Call in number to listen only; community participation requires being in person.
Phone number: 605-313-5711 Access code - 7622376*

Members Present: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, Carl Nett

Also Present: Eric Jesner (via Zoom), Robert Putnam, Caroline Stamm

- I. **Call to Order:** The meeting was called to order at 7:00 PM by Robert Putnam.
 - A. **Roll Call:** Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, Carl Nett
- II. **Reorganization**
 - *Chair / Vice Chair / Identification of Subcommittees*
 - A. **Chair:**
 1. Deb Fogel nominated Carol Lombardo.
 2. Carl Nett nominated Denise Hardie; Douglas Miner seconded the motion.
 3. **VOTE** to accept Denise Hardie as Chair:
 - a) Melissa Bye, Deb Fogel, Denise Hardie, Phil Magovern, Douglas Miner, and Carl Nett were in favor. Carol Lombardo abstained from the vote. The motion passed to accept Denise Hardie as School Committee Chair.
 - B. **Vice Chair**
 1. Denise Hardie encouraged the nomination of a Vice Chair from Sandisfield to have representation from each town.
 2. Melissa Bye nominated Carl Nett; Phil Magovern seconded the motion.
 3. **VOTE** to accept Carl Nett as Vice Chair:
 - a) Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, and Carl Nett were in favor. There were no objections and the motion passed to accept Carl Nett as School Committee Vice Chair.
 - C. **Subcommittees:**
 1. Rob Putnam recommended the following subcommittees:
 - a) Policy; Building/Grounds; Superintendent Evaluation; Finance; Negotiations Subcommittee; RAAC
 - b) The current focus should be on: Policy, Building/Grounds, and Finance
 2. Each Committee Member noted their top 3 choices of which Subcommittee they would like to participate.
 - III. **Addition of Meeting:**
 - A. Rob anticipates that we will need another meeting in June to discuss ongoing negotiations, the school calendar, and the BHRSD Tuition Contract before he and Eric Jesner leave the District at the end of the month.

B. There will be another meeting on June 26th, 2023, at 7:00 PM.

IV. Addition to Agenda - BHRSD Tuition Contract:

A. Denise accepted a motion to add a vote on the BHRSD Tuition Contract to the agenda.

1. Carl Nett motioned to add the vote to the agenda.
2. Deb Fogel and Douglas Miner seconded the motion.
3. VOTE: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, and Carl Nett were in favor. There were no objections, and the motion passed to add a vote on the BHRSD Tuition Contract to the agenda.

V. Public Comment:

A. There were no public comments at this time.

B. Denise Hardie welcomed everyone, including Tim Lee, our new Superintendent, and Laurie Flower, our new Principal.

VI. Acceptance of Minutes:

- Meeting #432 from May 1st, 2023

A. Carl Nett motioned to accept the minutes; Deb Fogel seconded the motion.

B. VOTE: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, and Carl Nett were in favor. There were no objections, and the motion passed to accept the minutes from meeting #432.

VII. Superintendent's Report:

- *Personnel Changes*

- *Joint DESE / DLS Guidance on E&D above 5%*

- *Introduction of School Council: Charles Ransom*

- *Introduction of SEPAC: Dana Pustinger*

- *End-of-Year Information*

A. Personnel Changes:

1. Paula Subklew will be leaving the District at the end of the month. Rob presented an overview of her time with FRRSD.

B. Joint DESE / DLS Guidance on E&D above 5%:

1. Rob distributed and reviewed a joint letter from DESE and DLS with guidance on E&D above 5% and the procedure regional school districts must follow.

C. Introduction of School Council: presented by Charles Ransom

1. The purpose of the School Council is to promote effective communication and collaboration among students, parents, teachers, and administration to collaborate on matters related to school policies, curriculum development, and the overall improvement of the school's educational programs and environment.

D. Introduction of SEPAC: presented by Dana Pustinger

1. SEPAC (Special Education Parent Advisory Council) was created to empower and support parents/guardians of students with special needs by collaborating with schools and other parents to enhance the educational experience for their students and share resources.

E. End-of-Year Information: presented by Laurie Flower

1. There are only 9 days of school left, which is packed full of Field Trips, events, and Grade 6 Graduation.
2. Laurie gave a brief overview of all the upcoming events and discussed which events the School Committee members are invited to attend.

VIII. Director of Business and Finance Report:

- *Review Warrants*
- *FY 23 Budget Update*
- *Need for a Handicap Vehicle*

A. Warrants:

1. Eric Jesner has warrants present for anyone to review.
2. Denise Hardie agreed to sign warrants.

B. FY23 Budget Update:

1. Eric reviewed any changes to the FY23 budget projections

C. Need for a Handicap Vehicle:

1. We have a student who may need transport in a wheelchair to and from school.
2. Eric reached out to a vendor on the state contract, but there is a large delay. He is also considering converting an existing van but will need more research. Mike is currently looking into all options.

IX. Appointment of Business Administrator:

- *Superintendent Recommendation and Vote to Approve*

- A. Carol and Rob sat down with representatives from TMS and shared their impressions of their meeting. The Committee discussed the benefits and downsides of bringing them in to fill the role of Business Administration.

B. VOTE to appoint TMS to fill the role of Business Administrator:

1. Carl Nett motioned to approve the appointment of TMS to fill the role of the Business Administrator. Deb Fogel seconded the motion.
2. VOTE: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, and Carl Nett were in favor. There were no objections, and the motion passed to approve the appointment of TMS to fill the role of the Business Administrator.

X. Appointment of District Council:

- *Dupere Law Office Proposal and Vote to Approve*

- A. Rob presented the proposal from Dupere Law Office, and the Committee discussed the benefits of changing to Dupere Law and bringing them on retainer rather than by the hour.

B. VOTE to appoint Dupere Law Office for legal counsel on retainer:

1. Carol Lombardo motioned to appoint Dupere Law Office as the District Counsel on retainer. Phil Magovern seconded the motion.
2. VOTE: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, and Carl Nett were in favor. There were no objections, and the motion passed to approve the appointment of Dupere Law Office as the District Counsel on retainer.

XI. Formation of the Regional Agreement Amendment Committee (RAAC):

- *The Committee will appoint the RAAC Chair*

- A. The Committee discussed having a chair/vice chair versus co-chairs.

B. Nominations:

1. Carol Lombardo nominated Jonathan Sylbert as the Chair of the RAAC
2. Carl Nett seconded the nomination.

C. VOTE: Change to have Co-Chairs who were representatives from each town

1. Carol Lombardo motioned to have co-chairs for the RAAC instead of a Chair/Vice Chair. Deb Fogel seconded the vote.
2. All School Committee Members abstained from the vote, and the motion failed.

D. VOTE to appoint Jonathan Sylbert as the RAAC Chair:

1. Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, and Carl Nett were in favor. There were no objections, and the motion passed to appoint Jonathan Sylbert as the RAAC Chair.

XII. Executive Session #1:

- To conduct strategy sessions in preparation for negotiations with nonunion personnel (BHRSD) or to conduct collective bargaining sessions or contract negotiations with nonunion personnel

- A. Carl Nett motioned to enter into the executive session at 8:22 PM.
- B. Deb Fogel seconded the motion.
- C. Roll Call: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, Carl Nett

XIII. Vote on BHRSD Tuition Contract:

- A. Carl Nett motioned to accept the proposed BHRSD Tuition Contract.
- B. Carol Lombardo seconded the motion.
- C. Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, and Carl Nett were in favor. There were no objections, and the motion passed to accept the proposed BHRSD Tuition Contract.

XIV. Other items for discussion not reasonably anticipated by the Chair 48 hours before the meeting:

- A. There were no other items for discussion.

XV. Agenda Items for July 3rd, 2023 School Committee Meeting:

- A. There were no other items to add to the agenda at this time.

XVI. Executive Session #2:

- To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares

- A. Deb Fogel motioned to exit into executive session at 8:36 PM
- B. Carol Lombardo seconded the motion.
- C. Roll Call: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, Carl Nett

XVII. Motion to Adjourn:

- A. Carl Nett made the motion to adjourn the meeting at 9:27 PM
- B. Phil Magovern seconded the motion.
- C. Vote - Roll Call: Melissa Bye, Deb Fogel, Denise Hardie, Carol Lombardo, Phil Magovern, Douglas Miner, Carl Nett

Respectfully submitted,
Caroline Stamm



Jeffrey C. Riley
Commissioner
Massachusetts Department of
Elementary and Secondary Education



DLS
DIVISION OF LOCAL SERVICES
MA DEPARTMENT OF REVENUE

Geoffrey E. Snyder
Commissioner of Revenue

Sean R. Cronin
Senior Deputy Commissioner

To: Regional School District Superintendents, Business Officials and Treasurers and City Auditors/Town Accountants

From: John J. Sullivan, Associate Commissioner, District & School Finance
Department of Elementary and Secondary Education

Deborah A. Wagner, Director of Accounts *DAW*
Bureau of Accounts, Division of Local Services

Subject: Excess and Deficiency (E&D) above Five Percent of a Regional School District's total budget

Date: May 2023

The following joint guidance is issued by the Department of Elementary and Secondary Education (DESE) and the Division of Local Services (DLS), Bureau of Accounts to clarify the procedure by which a Regional School District committee must reduce the amount to be raised by assessment to member municipalities to reflect the unencumbered balance in its E&D fund certified in excess of the five percent maximum allowed under Massachusetts General Law (MGL) Chapter 71 § 16B ½.

Background:

Every Regional School District (RSD) shall maintain an E&D fund on its books of account. At the end of every fiscal year, any surplus or deficit in the district's general fund shall be closed to the E&D fund. (603 CMR 41.06 (1)) The Commissioner of Revenue certifies the unencumbered amount in an RSD's E&D fund at the end of each fiscal year, and the amount, if any, by which it exceeds five per cent of the district's operating budget and its budgeted capital costs for the succeeding fiscal year¹, and reports this amount to the RSD administration as well as the select boards and town and city councils in each member municipality by December first of each year. If the unencumbered amount in the E&D fund of a RSD at the end of a fiscal year exceeds five percent of its operating budget and its budgeted capital costs for the succeeding fiscal year, the amount in excess of the said five percent shall be applied by the RSD committee to reduce the amount to be raised by assessment on the member municipalities in accordance with the terms of the RSD agreement for apportionment of costs. (MGL Chapter 71 § 16B ½)

¹ Succeeding fiscal year refers to the fiscal year following the fiscal year under review by DOR in certifying E&D. Any balances for the fiscal year under review will be measured against the budget for the succeeding fiscal year to determine whether the RSD has an E&D balance in excess of five percent.

Procedure:

Following a notification that the RSD has an E&D balance in excess of the allowed five percent, the RSD committee must reduce the amount to be raised by assessment to the member municipalities by using either of the following options: (1) voting to reduce assessments in the current fiscal year² or (2) voting to reduce assessments in the upcoming fiscal year.³

Reducing the Current Fiscal Year Assessments:

If the RSD committee votes to reduce the current fiscal year's assessments, the RSD treasurer must recertify the amounts reapportioned to the treasurers of the member municipalities within thirty days from the date of the RSD committee vote. The reapportionment to the respective member municipalities shall be based on the formula for apportioning assessments in the RSD agreement and may be reflected in a reduction in the remaining payments owed by the member municipalities to the RSD or as a payment by the RSD to the member municipalities.

If the recertification is made after the annual town meeting (after the approval of the RSD budget), the amount recertified shall be considered an amendment to the amount required to have been appropriated at that meeting without the necessity for further action by the town, and, if the annual assessment of taxes has not been made, the town assessor shall include only the amount so recertified in making the annual assessment of taxes under the provisions of MGL Chapter 59, § 23.

Reducing the Upcoming Fiscal Year Assessments:

The RSD committee may vote to include the amount in excess of five percent as a revenue source for its proposed upcoming fiscal year's budget, with the amount credited and apportioned to each member municipality in accordance with the RSD agreement. If assessments are changed after the RSD budget has been approved by the member municipalities, the RSD treasurer must recertify the amounts reapportioned to the treasurers of the member municipalities within thirty days from the date on which the RSD committee votes to change the amounts to be raised by assessment.

Summary:

The RSD committee must select one of the aforementioned options to reduce the assessments to reflect the amount in excess of the five percent E&D allowance. The RSD committee should inform the member municipalities of the total amount of E&D (above and below the allowed five percent) used to reduce assessments, the impact on each individual member's assessment, and the year in which the reduction will occur.

Please direct all questions regarding this matter to John Sullivan (781-338-6530) or Deborah Wagner (857-303-3108).

² Current fiscal year refers to the year in which the E&D certification is made by DOR (sometimes referred to in MGL. c. 71, § 16B1/2 as the succeeding fiscal year).

³ Upcoming fiscal year refers to the fiscal year following the current fiscal year.

School Councils

Questions & Answers on School Councils

Part One

Vision

What is a school council?

A school council is a representative, school building-based committee composed of the principal, parents, teachers, community members and, at the secondary level, students, required to be established by each school pursuant to Massachusetts General Laws Chapter 71, Section 59C.

What is the reason the Education Reform Act calls for establishing school councils?

Teachers, parents, and community members can become more committed to improving the schools and more supportive of the public school system when they enjoy the opportunity to serve or be represented on a school council that has a role in shaping the policies and programs of the school. One Massachusetts school system, which instituted site-based decision making and school councils prior to the statewide mandate, includes the following preamble in its guidelines for councils:

Values behind site-based decision making through councils: [the council] improves student outcomes by uniting, in responsible participation, those closest to the teaching-learning relationship; [the council] creates through the development of a shared vision and planning a school environment which unites all members of the school community in a sense of belonging, commitment and growth.

How does the councils' work relate to other provisions of Education Reform?

Councils are an integral feature of Education Reform and are the main instrument for practicing the participatory site-based management that is called for in the Education Reform Act. Each school's efforts and success in meeting statewide standards will be an important component of the school council's needs assessment. In addition, as councils assist principals in preparing the school improvement plan, they will have a role in shaping the school's achievement of the professional development and parent involvement goals of Education Reform.

What are the educational benefits of site-based decision making?

Site-based decision making places the school at the center of planning, goal setting, and budgeting for school improvement. It provides additional opportunities for teachers and administrators who are closest to the teaching learning process to be innovative and creative. Site-based decision making also allows teachers and administrators to work with parents and the community to become more responsive to the needs of a particular school's population. For example, the teachers at a particular school may find that, because of the characteristics of their students, they have a need for a particular type of in-service training that is not offered or needed district-wide. Under site-based decision making, this school may be given the discretionary authority over staff development resources to meet this need.

How does the establishment of school councils enhance the benefits of site-based decision making?

School councils enhance site-based decision making because they expand the participation of the school community in its schools' decision making. The involvement of different groups on the council -- teachers, parents, and non parent community members -- provides the school with different and mutually complementary perspectives on its improvement goals and plans. In addition, by involving people who work in and support the school in the development of the school's improvement plan, the likelihood will increase that the plan will be successfully implemented.

Part Two: Legal Responsibilities

A. Establishment of Councils

Are all schools required to establish a school council?

Yes. The law requires that there be a school council "at each public elementary, secondary and independent vocational school in the Commonwealth."

If a principal is responsible for more than one school, does a separate council have to be formed for each school?

The law requires each school to have a school council. If two school buildings are linked operationally -- for example, one principal is responsible for one building serving students in grades K-3 and a second building serving students grades 4-6, and the buildings are under a shared administration and a single PTO -- then a single school council may be formed to encompass both buildings. However, if the two buildings function as discrete schools -- for example, one principal is responsible for two K-6 elementary schools with separate administrations and separate PTOs -- then a separate council should be formed for each school.

If a school district has several small schools under the leadership of the same principal, must he/she be the chair of each school's council?

Yes. The law requires the principal to be one of the two co-chairs of the council. The other co-chair is to be selected by the council as a whole rather than appointed by the principal. Councils can set their own internal rules of operation, including rotating responsibilities for the co-chairs.

Who is responsible for organizing a school council?

The law explicitly gives the school principal responsibility for defining the composition and overseeing the formation of the council pursuant to a representative process approved by the superintendent and school committee. As co-chair of the council, the principal is also responsible for convening the first meeting of the council. At this meeting, the other co-chair is to be selected.

To whom do councils report?

Councils are to assist principals by reviewing the school building budget and developing the school improvement plan. Councils may also take on other responsibilities, including policymaking, as granted by the local school committee.

Councils' school improvement plans are submitted to the local school committee for review.

Part Two: Legal Responsibilities

B. Membership Composition

Who is to be on the council?

The legislation specifies that the council is to consist of parents of students attending the school, teachers, and "other persons drawn from such groups or entities as municipal government, business and labor organizations, institutions of higher education, human service agencies or other interested groups, including those from school-age child care programs." Also, for schools containing any of grades nine to twelve, there should be at least one student on the council.

How many members should the council contain?

The law leaves it up to each principal, "pursuant to a representative process approved by the superintendent and school committee," to define the size and composition of the council. It does, however, make three stipulations about membership.

1. *Parents "shall have parity with professional personnel on the school councils." Regardless of the size of the council, the number of parent representatives must be equal to the number of teachers who serve on the council plus the principal.*
2. *"Not more than fifty percent of the council shall be non-school members." "Non-school members" are defined as members who are "other than parents, teachers, students and staff at the school."*
3. *The membership of school councils "should be broadly representative of the racial and ethnic diversity of the school building and community."*

What is the reason for parity in representation among parents, community members, and school professionals?

The provision of "parity" is based on the experience of the Chapter 188 school improvement councils and the national research on effective school-community councils. Research on small group dynamics in groups that mix lay people (e.g., parents) and professionals has shown that when lay people are outnumbered they are not likely to articulate their special perspective as "customers" of the school.

"Parity" provides a critical mass in which parents can feel comfortable in expressing their views while educators retain a strong voice on the council.

In situations in which differences of opinion are split along lay-professional lines, "parity" creates pressure for compromising and reaching consensus, since neither side can override the other with its numerical majority.

What is the term of office for council members?

The law is silent on this issue, leaving it up to the individual principals to make this determination. For a discussion of the knowledge-base on effective school council functioning in the area of open-ended versus fixed terms of office, please see Question 50 below.

May non-classroom based school professionals serve in the "teacher" membership category on the council?

Yes, if they are elected by the faculty at the school. Other professional personnel -- resource room teachers, specialists, counselors, etc. -- provide services to students and bring another perspective to the council's discussions and planning process.

May other school staff serve on the council and, if so, in what membership category?

"Other school staff" includes custodians, lunchroom staff, and others who are not education professionals. Like non-classroom based education professionals, these people can provide an important perspective on the needs of the school and its students. Other school staff, who are not parents, teachers, or students at the school, may be appointed to serve as "other person" members. It is important, however, to maintain a balance so that the council's "other person" membership category is not filled exclusively or even predominantly by school employees.

May an individual who is a teacher at another school in the district serve as an "other person" community member of the council?

The law is silent on this matter. It defines the "other person" as someone who is "not a parent or teacher of students at the school." It further describes the "other persons" on the council as "drawn from such groups or entities as municipal government, business or labor organizations, institutions of higher education, or other interested parties." Therefore, a teacher or administrator from another school in the district who is a member of any of the groups enumerated above can serve as an "other person" on any school council. In filling these positions, it is important to maintain a balance in representation between educator and lay members of the council in order to adhere to the "parity" standard referred to in the law.

In what capacity may an individual who is both a parent and a teacher at the school serve on the council?

If a parent of a child attending the school also serves as a teacher at that school, that person can serve only as a teacher member of a council. An individual who is supervised and evaluated by the principal cannot be elected as a parent member of a council that is co-chaired by that same principal.

May substitute teachers serve on the council? In what capacity may they serve?

The law is silent on this issue. The language regarding membership categories uses three terms, more or less synonymously, to refer to educators at the school: "teachers," "staff at the school," and "school-based professionals."

Because substitutes have varying relationships with the school, such as occasional temporary, temporary full-time, and permanent full-time, the issue regarding substitutes revolves around the nature of the service. A full-time substitute teacher may be elected as a teacher member of the council. A parent of a student at the school who occasionally works as a substitute teacher at that school may be elected as a parent member of a council if the substitute service really is occasional, e.g., if the total number of days that the parent/substitute teacher serves as a substitute at that particular school does not exceed 90 days (more than half of a school year). Because the most important judges of representation are those who are being represented, it makes sense to check with the electorate -- the other parents or teachers -- to determine if they are comfortable choosing a substitute teacher as one of their peer representatives.

May administrators other than principals serve on the council?

No. One obtains a seat on the council through election by one's peers (parents or teachers) or by appointment (as in the case of community members). However, administrators, such as department heads, may be defined as faculty members and serve as teacher representatives if they have no supervisory authority over other teachers. Similarly, an assistant principal may serve as a teacher member of the council if she/he fulfills regular classroom teaching duties, does not exercise any supervisory authority over teachers, and is represented by the same bargaining unit as the other teachers.

What is the school's responsibility for establishing councils that are broadly representative of the racial and ethnic diversity of the school community?

The law reads "school councils should be broadly representative of the racial and ethnic diversity of the school building and the community." Schools have an affirmative action responsibility to undertake the outreach needed to ensure an opportunity for all racial and ethnic groups to participate in the council. This responsibility may not involve setting quotas or developing proportional representation plans that guarantee seats on the council to members of particular racial or ethnic groups. There are, however, several strategies schools can pursue to enhance racial and ethnic representation. (See below.)

May the same individual serve as an "other person" member on a number of different school councils?

Yes. There is nothing in the legislative language that prohibits this practice. Schools and school systems that exercise this option will want to consider the value-added benefit of having key community resource people serving on multiple councils: will their time and energy be stretched too thin?

Service on multiple councils may make sense, however, in instances in which a business, human service agency, or higher education institution is part of a partnership consortium with several schools.

May school committee members serve on a council in the school district that is overseen by the school committee?

A school committee member who is a parent of a student attending a school can run and be elected to serve as a parent member of a council. It is contrary to the spirit of the law, however, for a school committee member to be appointed to serve as an "other person" or public member of the council. The intent is to widen the base of citizen involvement and support for the school. School committee members are already involved at the highest level of local school governance and are not encouraged to serve on school councils.

Part Two: Legal Responsibilities Questions & Answers on School Councils

C. Membership Selection

How are members to be selected?

The law provides local leeway in the election process. It does, however, affirm the principle of peer selection:

- Parent members are to be selected by the parents of students attending the school, in elections held by the local recognized parent-teacher organization.
- Teacher members are to be selected by the teachers in the school.
- The process needs to be fair, open and without the influence of the school committee, superintendent, or principal.

By extension, the spirit of the legislation and the experience of good practice suggest that student council elections or other representative processes be used to select the student member.

Non-school members may be recruited by principals directly or selected by the organizations that are invited to send representatives to the council.

What is the definition of a "parent-teacher organization?"

There are often several parent groups working in or with schools. Such groups may advise a particular program area, plan and implement special events, or function as subcommittees of larger groups. The parent-teacher organization that would be responsible for holding elections for parent representatives to the school council is that parent organization which is most representative of the entire parent constituency. The electing organization needs to be open to all parents of all children in the school.

If a school has more than one parent-teacher organization, which organization holds the election of the parents to the council?

Schools that have more than one equally representative parent-teacher organization should determine a collaborative process for electing the parent representatives on the council. Two or more organizations may collaborate to hold an open school-wide election of parents.

The primary consideration is that the election of parents be as open and inclusive as possible. Any parent, regardless of membership in a parent teacher organization, is free to (1) run for election to and (2) vote for parent representatives to the council.

What happens if there is no parent-teacher organization to hold the election of parents?

In such a case, the principal is responsible for developing a representative election process, subject to approval by the superintendent and school committee.

Do school committees have to review and approve the electoral process for all council members?

Yes. The law reads that "the principal, except as otherwise provided herein, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the superintendent and school committee." In addition, when parent elections are held by a locally recognized parent teacher organization, these elections are held "under the direction of the principal." But the principal may not exert any influence over the nomination and election process.

In order to enhance representation, may parents and teachers be elected by "subgroups" within the parent or teacher community?

No. The election of parents and teachers must, by law, be open to all parents and teachers, respectively. However, to encourage representation that includes, for example, underrepresented parents or teachers from each grade in a school, the nomination process may be designed to yield candidates from the "subgroups." For example, a citywide school may hold nominating caucuses for parents from the north, east, south, and west quadrants of the city; the middle school may nominate teachers from each of the 5th, 6th, 7th, and 8th grades. In the election process, all parents must be able to vote for all parents and all teachers for the full slate of teachers. In addition, a slate of candidates that is nominated by caucuses should also allow candidates who are "at-large," and not nominated by the caucuses. In other words, a

council may not have "reserved" seats for grade levels, "pods" or subgroups of either the teacher or the parent population.

Part Two: Legal Responsibilities

D. Councils' Responsibilities: General

What are the main areas of responsibility for school councils?

The law outlines four major areas of responsibility for councils. School councils are to assist principals in:

1. Adopting educational goals for the school that are consistent with local educational policies and statewide student performance standards
2. Identifying the educational needs of students attending the school
3. Reviewing the annual school building budget
4. Formulating a school improvement plan to focus on improving student achievement.

For any school that contains grades nine to twelve, inclusive, the council shall review the student handbook each spring to consider changes in disciplinary policy to take effect for the following school year. (See Appendix B)

In addition, the law states that "nothing contained in this section shall prevent the school committee from granting a school council additional authority in the area of educational policy; provided, however, that school council shall have no authority over matters which are subject to chapter one hundred and fifty E of the General Laws." (Question 34, below, addresses Chapter 150E.)

What is the council's role in the school budget?

The law specifies that the school council "shall assist [the principal] in the review of the annual school budget." This language refers to the school building budget, not to the district budget. "Review" means that the council and the principal read through documents that describe the budget in order to understand the implications for items in the school improvement plan that will be developed by the council. In many communities, the school budget is prepared by mid-year in order to allow for negotiation with other municipal agencies, i.e., finance committee, city council, town meeting. A council's review of the budget, therefore, enables it to predict better which improvement projects that require funding could be implemented in the next school year under a budget that was constructed in the previous fall. Also, in school districts that encourage building-based budget planning, a school's improvement plan objectives developed in any given year can guide the development of the school's budget in the next year. In these cases, the council's review of the budget helps in the implementation of the previous year's school improvement plan.

May councils make recommendations that pertain to district wide policies or to other schools in the district?

Yes. School councils may make recommendations, which would be non binding, to school committees on issues that are of keen interest to the school and that have district-wide or multi-school implications. In

addition, school committees have discretion in the responsibilities they give to councils through the provision of the law that reads:

"Nothing contained in this section shall prevent the school committee from granting a school council additional authority in the area of educational policy."

What are some areas in which councils cannot be involved?

The law enables school committees to grant school councils additional authority in the area of educational policy except for matters covered by Chapter 150E of the General Laws. Chapter 150E governs labor relations and collective bargaining for public employees including teacher contracts. This provision leaves such issues as compensation, workload, conditions of work and worker evaluation procedures subject to collective bargaining.

Good practice suggests that a council should not become involved as an ombudsman or a grievance committee in individual cases that involve students, parents, teachers and other school staff.

Does the prohibition against exercising authority over areas subject to Chapter 150E mean that councils' improvement goals and plans cannot make reference to school schedules?

Chapter 150E refers to the state statute governing collective bargaining for public employees. Normally, councils will not be involved with Chapter 150E because they will not be discussing employment or personnel issues. However, councils may make recommendations, such as changes in the schedule of a school day, that impinge on working conditions. When this occurs, the council's recommendations should acknowledge that the issues may be subject to collective bargaining.

Part Two: Legal Responsibilities

E. Councils Responsibilities: School Improvement Plans (Plans for Student Achievement)

What are the elements of the annual school improvement plan?

The school improvement plan or “plan for improving student performance,” as described in the original legislation, has the following elements:

1. An assessment of:
 - The impact of class size on student performance
 - Student-to-teacher ratios
 - Ratios of students to other supportive adult resources
2. A scheduled plan for reducing class size, if deemed necessary

3. Professional development for the school's staff and the allocation of any professional development funds in the school budget
4. Enhancement of parental involvement in the life of the school
5. School safety and discipline
6. Establishment of a school environment characterized by tolerance and respect for all groups
7. Extra-curricular activities
8. Means for meeting, within the regular education programs at the school, the diverse learning needs of as many children as possible, including children with special needs currently assigned to separate programs
9. Any further subjects the principal, in consultation with the school council, shall consider appropriate

In addition, in school systems with language minority populations, the professional development component of the council's plan shall address the need for teachers' professional development on second language acquisition and on working with culturally and linguistically diverse student populations. The spirit of the law calls for collaboration between the council and the principal.

The principal needs to create an environment of openness, collegiality and respect for all participants.

When should the annual school improvement plans be submitted, and to whom?

Plans are submitted annually to the school committee. As reviewing and approving authorities, school committees have the discretion to set their own schedule and timelines for the submission and review of the improvement plans. School Committees are strongly encouraged to support the efforts of councils and work collaboratively with them.

May a school committee approve or disapprove parts of a school improvement plan?

Not formally at this time. Planning is a dynamic and interactive process. The process of review can be an ongoing conversation between the school committee and the school site councils in its school district. Elements that are found objectionable in the plan can be sent back to the sites for further development and can be resubmitted in a revised form. Unnecessary barriers which hinder the process should be avoided.

May a school committee reject a council's plan even if nothing in it violates current school policy?

The earlier version of the law gave school committees final authority to approve the individual school plans. This was changed in 2003 to provide for a review rather than approval. MASC anticipates that this

change will be corrected to its original form. Regardless of the regulatory authority, the review of the school committee should be a powerful tool to ensure compliance with its goals and priorities.

Each school improvement plan shall be submitted to the school committee for review every year. If said school improvement plan is not reviewed by the school committee within thirty days of said school committee receiving said school improvement plan, the plan shall be deemed to have been approved.

A clear and published set of school committee expectations regarding individual school plans can reduce the possibility of plans being found out of compliance with district goals or ineffective in general.

What happens if there is no regularly scheduled school committee meeting within 30 days of the submission of a school improvement plan?

If a school committee fails to take action within 30 calendar days, the plan is automatically approved. In order to avoid having to approve an unreviewed plan or schedule a special meeting, school committees should specify in advance the date on which plans must be submitted.

Does the superintendent have to approve the school improvement plan?

Yes. A common sense interpretation is that the superintendent may be involved in a prior review and approval of school plans. Because principals are responsible and report to the superintendent, they should provide the superintendent with copies of anything they plan to bring before a school committee. In addition, the superintendent may be asked by the committee to do a technical review of the school improvement plans on its behalf.

Part Two: Legal Responsibilities

F. Internal Operations

What requirements are councils subject to as a result of their need to comply with the Open Meeting Law?

The law leaves it up to each council to determine its own rules of operation except that "meetings of the school council shall be subject to the provisions of sections twenty-three A, twenty-three B and twenty-three C of chapter thirty-nine." These sections of the Massachusetts Open Meeting Law require councils to:

- Hold all meetings in public and allow anyone in attendance to audio and/or video-tape the proceedings as long as it is not disruptive to the meeting.
- Post a notice of each meeting with the city or town clerk and in a public place at least 48 hours prior to the meeting.
- Keep minutes indicating the date, time, place, members present and absent, and actions taken.
- Adhere to a quorum, which is to be defined as a majority of the council members.

How can vacancies be filled?

The law leaves this matter up to the principal to decide "pursuant to a representative process approved by the superintendent and school committee." Several options can be considered. The position can be offered to the highest vote getter of the individuals who were not elected from the relevant constituency group in the most recent election. If that person is not available, the position can be offered to any of the other non-elected candidates. If there are no remaining candidates, the principal may hold a special election to fill the vacancy or ask the sending constituency, e.g., a PTO or a faculty council, to recruit one of its members to fill the position temporarily until the next council election. This policy should be clearly defined in the by-laws.

Is the council's work stopped if under work-to-rule conditions the teachers on the council stop participating?

No. As long as access is guaranteed, an individual member's or a group's decision not to participate cannot stop the work of the whole council and thus deny other constituencies the opportunity to participate. Under the Open Meeting Law, a quorum for the council is a simple majority of current members, so meetings may be conducted in the absence of one constituency if enough other members attend.

Part Two: Legal Responsibilities

G. Accountability and Oversight

What authority do school committees have over school councils?

The relationship between school committees and school councils has a strong potential for reaffirming and strengthening lay governance in public education. The law provides for an explicit oversight role for school committees. School committees have the responsibility to:

- Set district-wide performance standards and educational policies that building level school improvement plans must take into account.
- Review and building level school improvement plans.
- Approve a representative process for the election of parent and teacher members of the council.

The intent of the law is to provide for a more participatory style of management at the school building level. School committees need to work with the superintendent and engage the whole community in developing local guidelines that achieve the legislation's intent. School committees can, at their option, develop local guidelines that:

- Define the review process for the school improvement plans.
- Set targets for ethnic representativeness on the council.
- Set the terms of office for council members and set other guidelines for councils that reflect school committees' experience and practice in participatory and inclusive decision making. However, the guidelines cannot impede councils' obligation to fulfill their mandated functions.
- Describe additional elements to be addressed in each school's improvement plan.

Finally, the law does not require, but does enable, school committees to "grant school councils additional authority in the area of educational policy." This practice is encouraged by the Department.

Are school council members "public officials" and as such subject to conflict of interest provisions?

Yes. According to the State Ethics Commission's Opinion EC-COI-93-21 (October 19, 1993), school councils are considered municipal agencies and their members, although they serve without compensation, are considered municipal employees for purposes of the conflict of interest law. This provision may be especially relevant to parent and community members of councils who may serve on other municipal agencies, boards and commissions within the community or who may do business with the city or town agencies. Because the circumstances of each case are different, the Department suggests that conflict of interest questions be directed to the State Ethics Commission, One Ashburton Place, Room 619, Boston, MA 02108. Telephone: (617) 727-0060. FAX: (617) 723-5851.

It is unclear if school council members are "public officials" in the sense that elected officials are for the purposes of application of "Sullivan vs. NY Times," the decision that sets a very high standard for determining libel and slander by another person or source – much higher than would normally apply to a private citizen. .

May the school committee adopt local conflict of interest provisions that are more stringent than those contained in state law?

Yes. The conflict of interest law, M.G.L.ch. 268A, specifically provides that municipal agencies are not precluded "from establishing and enforcing additional standards of conduct." Therefore, a school committee may adopt additional standards of conduct. However, such standards must be reasonable and consistent with the purpose and intent of the Education Reform Act.

If the school council surveys parents, teachers, or others about issues related to school improvement, are the survey results available to the public?

Yes. Under the Public Records Law, documents made or received by a state or local government agency (including a school council) are "public records," unless they fall within one of the exemptions specified in the law. For example, memos or letters relating to policy positions still being developed by the agency are exempt, but "reasonably completed factual studies or reports on which the development of such policy positions has been or may be based" are public records. The aggregate survey results would be a public record, available to any person upon request.

Are the composition, role and functions of the school council subject to collective bargaining?

To the extent that the composition, role, and functions of the school council are defined by statute, those matters are not subject to collective bargaining. For example, the statute specifies the proportion of teachers, parents and other members on the council, and the manner in which teachers are selected. It also defines the role of the council: to meet regularly with the principal and assist in identifying the educational needs of students in the school, reviewing the annual school budget, and formulating the school improvement plan. A school committee may grant a school council additional authority in the area

of educational policy, but the statute is clear that school councils shall have no authority over matters that are subject to Chapter 150E, the state law on labor relations and collective bargaining for public employees.

Part Three: Suggested Practices in Implementing the Letter and Spirit of the School Councils Law

A. Membership

If there is no parent-teacher organization, what are some other ways of ensuring representativeness in the election of parent members on the council?

Developing a process to elect parents to the council in schools that do not have a formal parent-teacher organization can pose a special challenge. In these situations, schools can use the following strategies:

- Request existing parents' groups, e.g., Chapter I Parents Advisory Committees, Bilingual Parents Advisory Committees, and sports and booster clubs, to nominate candidates from among their members; coordinate a run-off election from among these candidates.
- Hold elections at the conclusion or beginning of cultural assembly programs, school plays, open-house nights, or other educational or social events that bring parents into the school.
- Hold "at-large" elections from among the parent body by soliciting nominations through direct mail and school and community newspapers. Request that parents nominate themselves or others for membership on the council. This approach has been highly successful in generating volunteers. In some schools, a mail ballot run-off election has been necessary as there have been more volunteers than seats on the councils.
- Invite all parents to a evening informational meeting at which the school council is explained and parent council members are elected.
- Announce that elections will be held in conjunction with a forum, possibly with a respected guest speaker, on an issue of current concern to parents. Elect parent members at the conclusion of the forum.

Should council members serve for fixed terms?

The law indicates that the principal "shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the superintendent and the school committee." The principal should not be arbitrary and must consider the needs of the school.

There are two major considerations to weigh in regard to the length of council members' terms:

1. The value of continuity and experience on the council that is provided by long term membership.
2. The value of having fresh perspectives and increased access to council participation that results from a greater turnover of members.

Establishing staggered terms for teachers and parent members of councils will help to accommodate the desire for continuity and expanded access. To create staggered terms, one third of each membership category is elected for terms of one, two, and three years in the initial year of the council. These members

can be re-elected for a full term when their term expires. Non-school members that formally represent community organizations can continue to serve at the pleasure of the sending organization.

What unique role can the "non-school" community members of the council play?

Community representatives may have areas of special interest, expertise, and connections that can help the school council to be more effective and creative in its approach to school improvement. Community representatives bring a broader community orientation to the council by acting as:

- Resource linkers who establish contacts with community service organizations, other municipal service agencies, and business groups.
- Specialists in technical areas of expertise.

What are some ways of recruiting the non-school, community members of councils?

Schools can use several strategies to select the non-school community members:

- The school committee may identify a pool of community leaders and community organization representatives with an interest in working on and supporting school improvement. Schools can select, from this pool, individuals to whom invitations are offered to join the council.
- School committees can provide local guidelines for the identification of community organizations and constituencies from which non-school members of councils could be selected. These organizations and constituencies, which could include higher education, cultural and human service agencies, business, senior citizens, etc., could be invited to recommend individuals who would be interested in serving on councils.
- Schools with contacts with the community, through volunteer and other partnership programs that involve "non-parents" from higher education, business, cultural and human service, or other institutions, can invite these partners to designate representatives to school councils.

Part Three: Suggested Practices in Implementing the Letter and Spirit of the School Councils Law B. Decision Making and the Internal Organization of the Council

What are some minimal recommendations regarding operating procedures for school councils?

Experience shows that all effectively functioning councils address the following operational issues:

1. Number and schedule of meetings: A front-end decision about the number and the schedule of meetings will enhance the attendance and participation of council members. Because different schools have different needs and situations, experience has shown it is preferable to allow councils and principals to make their own determinations about the time and frequency of meetings.

Councils have adopted one of two general strategies regarding frequency of meetings:

- Some meet on a regular monthly schedule.
 - Others hold regular meetings at the beginning of the school year and then convene on an "as-needed" basis to ratify and bring closure on the recommendations of smaller subcommittees or working groups of the council. Advocates of this approach maintain that it conserves the time and energy of busy people and avoids meeting "for the sake of meeting"
2. Agenda: Simple written agendas keep meetings focused and provide continuity from meeting to meeting. When publicly posted, agendas can serve as an invitation for other interested members of the school and community to provide input to the council.
 3. Minutes: Minutes are required by the Open Meeting Law and provide continuity from meeting to meeting. Minutes help to keep the larger school community informed about the activity of the council.
 4. Subcommittees: Subcommittees provide for a division of labor and allow different council members to focus on their areas of interest and expertise.

Should a council make decisions by consensus or by majority rule?

Both methods are used by councils. A major product of the council is the school improvement plan, which is designed to coordinate the school's resources and unite the efforts of those who care about the education of students. Schools with experience in school-based planning by teams report that it does not make sense to adopt such a plan through a split vote. They recommend consensus decision making.

Consensus decision making, however, can be painstaking and time consuming. Some councils find it useful to adopt a dual-level of decision making: consensus can be used on major issues such as the development of the school plan or the review of the school budget; majority vote can be used on procedural questions and on other less fundamental issues.

Does consensus mean unanimity?

No. Consensus is a way of working together that does not necessarily mean unanimity of agreement. Members of a consensus decision making process may disagree with a final decision but yet agree to go along with it. At the heart of the consensus process is the importance of each group member's viewpoint and the full opportunity to express these views. Under a consensus process, it is perfectly acceptable for a member to say, "I disagree with this decision; I've told everyone how I feel and the group has listened. However, I'm willing to support the decision in order to try it out."

The hallmarks of a consensus method are that:

- Council meetings are viewed as problem-solving sessions and not as competitive, win-or-lose events.
- All members have a chance to state their views.
- Periodic "straw polls" are taken to identify the common ground among divergent viewpoints.
- All members are willing to support the majority decision.

What are some basic rules that can facilitate shared decision making?

The law contains language such as "assist" or "consult with" the principal. Clearly it envisions that councils will share in decisions that are the formal prerogative of principals, to whom the law has given increased responsibilities for the operational management of the school.

Experience suggests that there are a few basic rules that can turn shared decision making into a collaborative and positive experience.

- Rule No. 1: Explicitly state the issue that must be decided and why. Where does the problem originate? What values are at stake if the problem is not addressed?
- Rule No. 2: At the outset, communicate clearly who will make the decision and identify any constraints that will affect the scope or content of the decision. The authority to decide and the ability to implement are two different matters. Accordingly, all of the constraints on schools -- budget, staffing, time, pre-existing regulations, and so on -- should be laid out on the table as the group begins its decision-making process.
- Rule No. 3: Keep in touch. Communicate formally with all of those involved in the decisions that are being made. "Formal communication" means that a commitment to communicate is explicit and is bound by a timeline. For example, when a council conducts a survey, a needs assessment, or when its members formally consult their constituents, these outreach efforts should culminate in subsequent feedback from the council on how this information was used by the council. In the same spirit, principals, school committees and other school officials who are the recipients of the council's recommendations should agree on a timeline and a format for a response even, and especially, when a recommendation cannot be approved.

Part Three: Suggested Practices in Implementing the Letter and Spirit of the School Councils Law

C. Representation and Community Outreach

How can school councils maximize their representativeness and become more inclusive in their decision making?

- "Inclusiveness" refers to a way of doing business that provides for continual contact between the council and the school and community constituencies it represents. Councils can become more inclusive by:
- Exceeding the requirements of the open meeting law by giving more notice of the time and place than the law requires and by including the agenda in the posted notice.
- Setting aside the last few minutes of each council meeting to develop a preliminary agenda for the next meeting. In this way, council members can informally canvass the thoughts and opinions of the constituents they represent in between meetings.
- Providing for a public comment period at every council meeting. During this period, council members or visiting members of the school and community can bring their issues to the attention of the council.

Please note: the ground rules for such sessions should rule out individual grievances (e.g., a parent's complaint about a class placement) and personnel issues requiring confidentiality.

- Establishing subcommittees with extended memberships. An extended subcommittee typically consists of one or two members of the council and other volunteers from the school and community who join the group as resource people or interested parties to work on a specific issue for a finite period of time.

Extended committee membership provides an opportunity for involvement for parents, teachers, and community members who do not have the time or interest to serve on a permanent standing committee.

How can the school council be coordinated with other councils or advisory committees that exist at the school?

In some schools, the creation of a school council will require discussion and understanding of the council's "boundaries" and how the council interacts with other groups already in existence in the school or the school system. Such coordination will help to ensure that various groups within the school do not exist in isolation from each other, duplicate efforts, or develop conflicting programs.

When groups within a school or a school system collaborate with each other and the school supports rather than hinders this cooperation, it is more likely that common goals will be achieved. Schools can

develop several ways for coordinating school councils with existing governing and advisory structures, as the following suggestions indicate:

- Organize the school council as an umbrella organization with non-voting representation from other councils and committees in the school or school districts.
- Develop a system of councils and committees which has overlapping representation for coordination and collaboration of activities.
- Organize the school council as a subcommittee of a larger umbrella group.
- Establish communication among the school council and other existing councils through designated liaison people.
- Involve members of other councils or advisory committees as extended members of specialized subcommittees that advise the school council.

Part Three: Suggested Practices in Implementing the Letter and Spirit of the School Councils Law D. Self-Assessment and Improvement

What factors can be used to determine that councils have been effective and successful?

There are several indicators that can help councils periodically and informally to assess their functioning. These include:

- Membership: Is the council reasonably representative of the socio economic and ethnic make-up of the school community?
- Internal functioning: Do council meetings have good attendance? Does the council reach closure on important issues?
- Representativeness and communication: Did the council involve the larger community in its work? Have other members of the school community asked for time to make presentations to or meet with the council? Is the school community aware of the council's "product," i.e., the school improvement plan? How is information about this plan communicated?
- Resource enhancement: Has the council used its outreach ability and the involvement of its community members to establish links with groups that could make potential contributions to improving the school? These contributions could include new perspectives, skills, in-kind contributions of time and knowledge, and material resources.

What kind of technical assistance and preparation will councils need?

Ongoing training and technical assistance will be a key ingredient in maximizing school councils' effectiveness. For all council members, some training and orientation will be useful in the following areas:

- An explanation of the state law establishing the councils. This booklet may be a useful resource.
- A basic orientation on the fundamentals of school district operations. These fundamentals could include information on the system's goals and philosophy, constraints placed by federal and state laws and collective bargaining agreements, and laws and policies on who makes the final decisions on specific issues.
- A district-specific orientation regarding local expectations for school councils. This could include but not be limited to:
 1. Systemwide performance standards and educational policies that need to be reflected in an individual school's improvement goals.
 2. School improvement planning formats that mesh building level and district-wide improvement plans.
 3. School committee criteria (if existing) and procedures for the review of each school's improvement plan.
 4. The district's budget making process and calendar.
 5. Any school committee guidelines for school councils' involvement in "other areas of school policy" as allowed for in the legislation
 6. A brief overview of the elements of good practice that could be based, in part, on material contained in this booklet.

The above "basic training" and orientation sessions could be included in each council's initial set of meetings or school systems may choose to hold a system-wide orientation meeting for all council members.

Councils may also benefit from skill-building on some or all of the following topics:

- Sensitivity training on "active listening" for all council members. Active listening builds group cohesion and enhances the process of consensus decision making.
- Council co-chairs may find it useful to participate in a refresher session on agenda setting, effective meetings, strategic planning, and consensus decision making.

Chapter 71, Section 59C: School Councils

CHAPTER 71. PUBLIC SCHOOLS

Chapter 71: Section 59C School councils; members; meetings; duties

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

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

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

[Fourth paragraph effective until July 1, 2003. For text effective July 1, 2003, see below.]

The school council, including the school principal, shall meet regularly and shall assist in the identification of the educational needs of the students attending the school, make recommendations to the principal for the development, implementation and assessment of the curriculum accommodation plan required pursuant to section 38Q 1/2, shall assist in the review of the annual school budget and in the formulation of a school improvement plan, as provided below.

[Fourth paragraph as amended by 2002, 218, Sec. 12 effective July 1, 2003. See 2002, 218, Sec. 30. For text effective until July 1, 2003, see above.]

The school council, including the school principal, shall meet regularly and shall assist in the identification of the educational needs of the students attending the school, make recommendations to the principal for the development, implementation and assessment of the curriculum accommodation plan required pursuant to section 38Q 1/2, shall assist in the review of the annual school budget and in the formulation of a school improvement plan, as provided below. Parent advisory councils, established under section 3 of chapter 71A, may, at their request, meet at least once annually with the school council.

[Fifth paragraph effective until July 1, 2003. For text effective July 1, 2003, see below.]

The principal of each school, in consultation with the school council established pursuant to this section shall adopt educational goals for the schools consistent with the goals and standards including the student performance standards, adopted by the board pursuant to section one D of chapter sixty-nine, and consistent with any educational policies established for the district, shall assess the needs of the school in light of those goals, and shall formulate a school improvement plan to advance such goals, to address such needs and to improve student performance. The plan shall include an assessment of the impact of class size on student performance, and shall consider student to teacher ratios and other factors and supportive adult resources, and may include a scheduled plan for reducing class size. The plan shall address professional development for the school's professional staff, the allocation of any professional development funds in the annual school budget, the enhancement of parental involvement in the life of the school, safety and discipline, the establishment of a welcoming school environment characterized by tolerance and respect for all groups, extracurricular activities, the development of means for meeting the diverse learning needs of as many children as possible, including children with special needs currently assigned to separate programs, within

the regular education programs at the school, and such further subjects as the principal, in consultation with the school council, shall consider appropriate. In school districts with language minority student populations the professional development plan under this section shall specify how the plan will address the need for training and skills in second language acquisition and in working with culturally and linguistically diverse student populations. Each school improvement plan shall be submitted to the school committee for review and approval every year. If said school improvement plan is not reviewed by the school committee within thirty days of said school committee receiving said school improvement plan, the plan shall be deemed to have been approved.

[Fifth paragraph as amended by 2002, 218, Sec. 13 effective July 1, 2003 until July 31, 2003. See 2002, 218, Sec. 30. For text effective until July 1, 2003, see above. For text effective July 31, 2003, see below.]

The principal of each school, in consultation with the school council established pursuant to this section shall adopt educational goals for the schools consistent with the goals and standards including the student performance standards, adopted by the board pursuant to section one D of chapter sixty-nine, and consistent with any educational policies established for the district, shall assess the needs of the school in light of those goals, and shall formulate a school improvement plan to advance such goals, to address such needs and to improve student performance. The plan shall include an assessment of the impact of class size on student performance, and shall consider student to teacher ratios and other factors and supportive adult resources, and may include a scheduled plan for reducing class size. The plan shall address professional development for the school's professional staff, the allocation of any professional development funds in the annual school budget, the enhancement of parental involvement in the life of the school, safety and discipline, the establishment of a welcoming school environment characterized by tolerance and respect for all groups, extracurricular activities, the development of means for meeting the diverse learning needs of as many children as possible, including children with special needs currently assigned to separate programs, within the regular education programs at the school, and such further subjects as the principal, in consultation with the school council, shall consider appropriate. In school districts with language minority student populations the professional development plan under this section shall specify how the plan will address the need for training and skills in second language acquisition and in working with culturally and linguistically diverse student populations. In school districts with language minority student populations, the plan to improve student performance shall include a description of the opportunities to be provided by the school to ensure the progress of limited English proficient students in developing oral comprehension, speaking, reading and writing of English, and also in meeting academic standards and curriculum frameworks established under sections 1D and 1E of chapter 69. Each school improvement plan shall be submitted to the school committee for review and approval every year. If said school improvement plan is not reviewed by the school committee within thirty days of said school committee receiving said school improvement plan, the plan shall be deemed to have been approved.

[Fifth paragraph as amended by 2003, 46, Sec. 82 effective July 31, 2003. For text effective until July 31, 2003, see above.]

The principal of each school, in consultation with the school council established pursuant to this section, shall on an annual basis, in conformity with the provisions of section 11 of chapter 69, develop and submit for approval by the district superintendent a plan for improving student performance. Said plan shall be prepared in a manner and form prescribed by the department of education and shall conform to any policies and practices of the district consistent therewith.

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

Appendix B:

Chapter 71, Section 37H: Publication of School Committee Rules and Regulations Relative to the Conduct of Teachers and Students.

In each school building containing grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at anytime. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

GUIDANCE FOR SPECIAL EDUCATION PARENT ADVISORY COUNCILS

March 2010

Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street, Malden, MA 02148-4906
Phone 781-338-3000 TTY: N.E.T. Relay 800-439-2370
www.doe.mass.edu

© 2010 Massachusetts Department of Elementary and Secondary Education
Permission is hereby granted to copy any or all parts of this document for non-commercial educational purposes. Please credit the "Massachusetts Department of Elementary and Secondary Education."

Acknowledgements

The Massachusetts Department of Elementary and Secondary Education's Special Education Planning and Policy Development Office wishes to acknowledge the enormous contribution made by parents, PAC chairpersons, special education administrators, school committee members, school superintendents, and representatives of organizations involved in the special education field over the years. This guidance document has been awhile in development and the input of many individuals with different perspectives was critical in identifying the central themes emphasized in this guidance document.

This PAC guidance discusses a full range of topics relating to PACs – from examining their central purpose to identifying the characteristics and practices that help make PACs most successful. One key principal we hope that readers receive from this guidance is that *in order for PACs to be most effective in improving special education in the district, there must be true collaboration between the PAC and the school district leadership.*

TABLE OF CONTENTS

INTRODUCTION	1
What Does This New Guidance Document Provide?	1
I. REQUIREMENTS FOR PACS IN MASSACHUSETTS LAW.....	2
A. Requirements in State Statute and Regulation	2
B. Additional Requirements.....	4
II. KEY COMPONENTS FOR OPERATING AN EFFECTIVE PAC	6
A. Effective Collaboration with the School Community	6
B. Collaboration with Key Parties in the School District	6
C. Recommended Steps Toward Organizing an Effective PAC	7
III. PAC ACTIVITIES: TAPPING THE STRENGTH OF THE PARENT-SCHOOL COLLABORATION	9
A. Encouraging Parent Turnout.....	9
B. Making the PAC Visible: Outreach	10
C. Participating in the Planning, Development, and Evaluation of Special Education Programs by Addressing the Substantive Priorities of Parents	10
D. Communicating with Non-English Speaking Parents	12
E. Assisting the District in Conducting the Required Annual Training	12
IV. APPENDICES	14
Appendix A: Glossary of Terms	14
Appendix B: Frequently Asked Questions	15
Appendix C: List of Websites Pertaining to PACs & Parent Involvement	17

INTRODUCTION

This guidance document is designed to help Special Education Parent Advisory Councils (PACs) in Massachusetts to carry out their mission and duties– as defined in state laws and regulations. In particular, the aim of this guidance document is to ensure that every PAC operating in the state fully understands the capacity and potential that PACs have to collaborate with the school community to influence special education programs and policies in their school districts in real and valuable ways.

For over two decades, parents of children with disabilities in Massachusetts have made significant contributions to improving the education of their children through PACs. Since 1986, Massachusetts state law has required all public school districts to maintain a Parent Advisory Council open to all parents of students identified as eligible for special education, as well as other interested parties. We provide this guidance to PACs so that each and every PAC will have access to and knowledge of what the law allows them to do.

What Does This New Guidance Document Provide?

- a clear, concise description of the basic requirements that apply to PACs;
- the key components to address in meeting those requirements; and
- some options for practices, activities, and resources that might assist a PAC in making positive contributions to special education in their community.

I. REQUIREMENTS FOR PACS IN MASSACHUSETTS LAW

A. Requirements in State Statute and Regulation

Special education parent advisory councils (PACs) have tremendous potential to have a positive impact on special education programs in a school district. PACs can provide invaluable activities for parents, and add an important voice to a school district's dialogue and decision-making.

First, for background, it is helpful to understand the recent history of laws relating to special education. There have been many changes since the early days of Chapter 766 ¹, the state's 1972 special education legislation, and it is worthwhile to review changes in state and federal law to gain context and perspective.

Second, it is important to understand the context in which laws and regulations work together. In Massachusetts, for instance, the State Legislature enacts state laws or statutes, and then state agencies are charged with developing regulations that assist everyone in implementing the law. In this case, the Legislature passed the law, and then the Massachusetts Board of Elementary and Secondary Education promulgated accompanying regulations.

The State Statute

The Massachusetts special education law, [Chapter 71B](#)² of the Massachusetts General Laws, requires a school district to establish a PAC, and assigns both an advisory and a participatory function to the PAC.

The following is the excerpt from Section 3 of Chapter 71B that pertains to PACs:

".... The school committee of any city, town, or school district shall establish a parent advisory council on special education. Membership shall be offered to all parents of children with disabilities and other interested parties. The parent advisory council duties shall include but not be limited to: advising the school committee on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school committee's special education programs. The parent advisory council shall establish by-laws regarding officers and operational procedures. In the course of its duties under this section, the parent advisory council shall receive assistance from the school committee without charge, upon reasonable notice, and subject to the availability of staff and resources. ..."

¹ Chapter 766 – 1972 Massachusetts law (also known as 71B) guaranteeing all children a free, appropriate public education in the least restrictive environment.

² Chapter 71B – Massachusetts special education law, also known as Chapter 766, <http://www.mass.gov/legis/laws/mgl/gl-71b-toc.htm>

The State Regulation

There is an accompanying state regulation that reiterates the language of the statute. ([See 603 CMR 28.07\(4\).](#))

Additionally, [603 CMR 28.03\(1\)\(a\)\(4\)](#) provides further guidance to PACs on their role with districts in providing parent/guardian and student rights training, as follows:

The district shall conduct, in cooperation with the parent advisory council, at least one workshop annually within the school district on the rights of students and their parents and guardians under state and federal special education laws.

This guidance document is designed to help place these requirements in the context of many and varied school districts.

Taken together, the statute and regulation essentially require the following:

- The district must take whatever steps are necessary to ensure there is a district-wide special education parent advisory council (PAC) in operation.
- The PAC shall offer membership to all parents of students found eligible for special education in the district, as well as other interested parties.
- The PAC is authorized to provide advice to the district regarding its special education programs and policies. The advice may include recommendations - verbally and/or in writing - to those parties in the district responsible for overseeing special education, including the special education director, the superintendent, and the school committee.
- The PAC is additionally authorized to meet at regular intervals with designated school officials and to engage in other activities which enable the PAC to participate in the planning, development, and evaluation of the district's special education programs.
- The PAC has authority to create by-laws, or rules, to help govern its duties, including rules for election of officers. By-laws may designate operational procedures or specific policies and steps to follow in organizing activities for the PAC.
- School districts are charged with assisting the PAC in maintaining its operation and activities. School district assistance must be provided without charge, but is subject to the availability of staff and resources. The law envisions that there will be a good faith effort by the school district to provide assistance to the PAC. A PAC may engage in fund-raising activities, but is not required to do so. If a PAC does engage in fundraising activities, it may include two categories of funds:
 - **PUBLIC FUNDS:** Because a PAC is a public body established by a school committee, any funds raised or contributions received by a PAC are subject to the laws governing grants or gifts to the school committee. (M.G.L. chapter 44, section 53A and chapter 71, section 37A). This means funds raised by the PAC must be deposited with the municipal treasurer, held as a separate account, and become part of the district's End-of-Year Pupil and Financial Report.
 - **PRIVATE FUNDS:** Some or all members of a PAC may form a separate, private organization (for example, "Friends of the PAC") or work within the framework of an existing private organization to raise funds to support the PAC's role as an advisory body to the school committee. However, funds raised by this entity

must be raised in the name of the private organization and not in the PAC's name. In addition, the responsibility for the privately-raised funds rests with the private organization's officers, who are subject to state and federal laws governing fundraising by private individuals and groups. A school committee has no oversight role with regard to privately-raised funds to support education-related activities, and there are no other restrictions on their use besides the state and federal fundraising laws.

In cooperation with the PAC, a district is required to hold at least one workshop annually within the district on the rights of parents/guardians and students in special education. Every district has received training information that must be included. However, some districts engage speakers or have created their own training incorporating the required information on the rights of parents/guardians in the special education process. Districts may include other topics for training, but must provide at least this training each year.

B. Additional Requirements

There are other Massachusetts laws and regulations, which, though they do not refer directly to PACs, directly impact PACs– just as they impact many governmental entities.

The requirements of the state's [Open Meeting Law](#)³, for example, apply to PAC meetings since the PAC is considered an advisory council to the school committee, a governmental body. The Massachusetts Department of Elementary and Secondary Education (ESE) and the Massachusetts Attorney General's Office have both concluded that PACs are subject to the Open Meeting Law.

Because PACs must comply with the Open Meeting Law, they are required to post a notice about an upcoming meeting and allow interested members of the public to attend, as well as maintain minutes of their meetings to comply with the [Public Records Law](#). Additionally, the PAC may establish guidelines for attendance of non-PAC members, e.g., designating specific time for their participation or involvement in the meeting.

Other legal requirements or ramifications of laws, regulations, or rules that pertain to PACs include:

The State Ethics Commission has determined that PAC members– as voluntary advisors to the school district– are not deemed employees of municipalities, as defined in the state's conflict of interest law.

A school district is required to demonstrate that it has established a PAC upon request of ESE. In addition, a referral to ESE's [Problem Resolution System](#)⁴ may be in order if a district has not established a PAC. Further, when ESE's [Program Quality Assurance \(PQA\)](#)⁵

³ Open Meeting Law – Massachusetts law which requires that meetings of all governmental bodies be announced 48 hours in advance, recorded by means of minutes, and open to the public, <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIII/Chapter30A/Section20>

⁴ Problem Resolution System – The Massachusetts Problem Resolution System monitors local compliance with education requirements, <http://www.doe.mass.edu/pqa/prs>

⁵ Program Quality Assurance Services (PQA) – PQA manages the Problem Resolution System on behalf of the Massachusetts Department of Elementary and Secondary Education, <http://www.doe.mass.edu/pqa/>

unit conducts a [Coordinated Program Review \(CPR\)](#)⁶ to monitor and review a school district's compliance with special education regulations, it checks to confirm that a PAC is, in fact, operating. If no PAC is established, ESE will require the district to establish a PAC and may require additional corrective action, if necessary.

Since the PAC is a responsibility of the district, the district has authority to designate the PAC it supports and is not required to support other parent groups. A district may not disband the established PAC.

As for approved public or private day and residential special education programs, which include separately sited programs run by educational collaboratives, 603 CMR 18.05(4) addresses parent involvement, under "[Required Policies and Procedures](#)". In these settings, schools have a written plan for involving parents, and have a Parents' Advisory Group. The Parents' Advisory Group is not exactly the same as a PAC and is authorized to advise the school on matters that pertain to the education, health, and safety of the students in the program.

Parents of students in out-of-district placements or collaboratives may join the PAC of the district of residence and a Parents' Advisory Group at their child's out-of-district placement, if desired.

⁶ Coordinated Program Review (CPR) – The Department oversees local compliance with education requirements through the Coordinated Program Review (CPR). Each school district and charter school in Massachusetts is scheduled to receive a CPR every six years and a mid-cycle special education follow-up visit three years after the CPR, <http://www.doe.mass.edu/pqa/review/cpr/>

II. KEY COMPONENTS FOR OPERATING AN EFFECTIVE PAC

A. Effective Collaboration with the School Community

Identifying Parties with Common Interests

PACs are an integral part of the broader school community. Informing members of the school community about the purpose, value, and function of PACs is critical to gaining support for PAC activities and for initiating and sustaining collaborative efforts.

Working collaboratively, PACs and school districts can create a more responsive school environment. If the PAC decides to engage in collaborative efforts, it is helpful to remember that successful collaborative efforts grow out of shared goals and are maintained by strong communication and positive outcomes.

B. Collaboration with Key Parties in the School District

A PAC is charged with "advising" the school committee on special education. From a practical standpoint, the special education administrator is pivotal in developing effective communication with the PAC. However, other leaders in the district may also be good collaboration partners.

Interacting with the Special Education Administrator

A good relationship between a PAC and a special education administrator will benefit both parties. By staying in touch about each others' concerns and questions, a special education administrator and a PAC can benefit mutually by finding out what's happening earlier rather than later, allowing each other to take action proactively, when possible. A PAC may want to consider sponsoring a "Meet the Special Education Administrator" event in the fall, with one or more follow-up opportunities through-out the school year.

Interacting with the Superintendent and the School Committee

It is in the PAC's interest to understand how the district is organized and the relationship of the special education program with the overall educational program of the district. Communicating periodically with the superintendent as well as the special education administrator, therefore, can be helpful. These individuals can also help in determining how to communicate concerns or actions to the school committee. ESE recommends that PACs develop procedures that result in at least annual written status reports to the Superintendent to share with the school committee.

Interacting with school councils, PTOs, and the community at large

A PAC will become better known and develop more influence if it is "plugged into" the organizations and "infrastructure" of the school district. That means not only communicating with school officials, but also with other organizations– including the various school councils in a district and other parent-teacher organizations. If a PAC

wishes to play a role within another school council or any parent-teacher organization affiliated with a particular school, often the PAC chairperson or members must take the initiative and express interest in participation. Once that happens, the chances for the PAC's representation on school-wide matters are likely to increase.

The same principle applies to a PAC's interactions with parent-teacher organizations, other school groups, and the community at large. The more ties that a PAC can establish with the community, the more it will be able to make connections on behalf of improving the district's special education options.

A PAC often can benefit from assuming the role of "liaison" between special education students and other segments of the school community. Often, a PAC can help educate other parents and the community at large about what special education is – and is not – in addition to helping educate people about disabilities.

C. Recommended Steps Toward Organizing an Effective PAC

1) Draft a Mission Statement, preferably with as much participation of PAC members as possible. With the general framework of the PAC's work defined by regulation, the content of the Mission Statement should encompass what members believe is most important to them – in their advisory and participatory functions – for special education in their district.

2) Establish by-laws that define important policies and procedures of the PAC, such as:

- the methods of selection of officers;
- the duties and terms of the officers;
- how meetings will be conducted (by *Robert's Rules of Order*, for example);
- budgetary and financial rules and responsibilities;
- rules for raising PAC funds to use for PAC activities;
- how often the PAC will meet; and,
- where the PAC will meet.

3) Set and post agenda of PAC meetings regularly. Establish a calendar of PAC meetings and activities for the upcoming year that includes dates, times, and locations. The PAC can then share the calendar with any potential PAC members, the special education administrator, and all interested parties in the district. If possible, the PAC meetings can be held on a regular day, such as "the first Tuesday of the month," to make it easier to attract attendees. Also, the PAC should get its scheduled events included on the school district's main calendar so others in the school system can see them.

4) Develop an annual budget for the PAC. First, before the start of a new school year, PAC leaders should determine what funding, if any, the school district can and will provide for the year. Second, the PAC should decide what, if any, funds it may want to raise on its own for any purposes. Third, the PAC should set and plan its budget for the year based on funds that will be available to it during the year.

5) Develop a system of practices for communicating about the PAC to parents of students with disabilities and for interacting with other important constituencies. The PAC's means of communication are an important aspect to a PAC's

success. Hence, the PAC's leaders should consider at the start of a year how communications to various audiences will be handled, including, for example, finding out if it is possible to have postings about the PAC on the school district's website. Also, the PAC should consider how it will interact with other school groups and community groups, and how such communications and interactions may assist in furthering the mission of the PAC.

III. PAC ACTIVITIES: TAPPING THE STRENGTH OF THE PARENT-SCHOOL COLLABORATION

A. Encouraging Parent Turnout

In many districts, it is an ongoing challenge to attract a sizeable group of parents to participate in the PAC. Often, a handful of parents comprise the core of the PAC, and PAC leaders spend a good share of their time trying to inform parents and get them involved in the council in any way. The reality is that not only do PACs offer information, support, activities, and resources to new parent members who join, but also, the more parents who become members, the more potential the PAC has to have greater impact in the district. However, even if a PAC serves a very small number of members, its mere existence – and the opportunities it offers to those parents who choose to participate – is important.

Because students' IEPs are confidential and a PAC chairperson cannot simply obtain a list of these students' names due to confidentiality, sometimes it helps to work out arrangements with the special education administrator to reach families. For example, in some districts, PACs are able to request that the special education administrator mail out materials produced by the PAC – such as newsletters, or training announcements – to all families of students with disabilities. In other districts, PAC information is distributed to families at IEP meetings. By taking this approach, the PAC can ensure that it has informed every family of a child with a disability, while also protecting the confidentiality of all students.

Possible Practices to Encourage Turnout of Parents

- Provide new parents, whenever appropriate, with a "Welcome Packet" that includes introductory information, including a list of good resources.
- Partner with the district preschool coordinator to organize a "coffee" for all parents of pre-school children in the district, to provide them with information about the PAC and with introductory information about special education in general.
- Establish subcommittees of the PAC, when appropriate, to encourage parents to address specific concerns they've identified as priorities. This not only could increase efficiency, but could also help individual parents to focus on areas of greatest interest to them.
- Produce a "Parent Information Brochure" in collaboration with the district that includes contact information and resources relating to special education that are useful to parents. Consider including information on recreation, advocacy, and camps for students with disabilities.

B. Making the PAC Visible: Outreach

A PAC can engage in outreach by using various methods. Taking advantage of internal communications or publications within a district is one avenue. Using publicity outside the district is another avenue. A PAC can use the local newspaper or cable channel to run announcements of its meetings or to report on its activities. It can request that its meetings be mentioned in school emails and newsletters, on a school district's website, or via a district's telephone announcement system. It can collaborate with PTOs and other community and school organizations to sponsor high-interest events that guarantee a large turnout. It can request to distribute information on Back-to-School Night, and can participate in community events such as Town Day. Many PACs have established websites.

Frequent, positive, and well-presented information about the PAC and its accomplishments is helpful in keeping the PAC visible, thus reaching new parents.

Some PACs have found that a brochure can be an effective means of explaining the PAC's purpose, spreading the word about the group, and recruiting new members. Brochures typically include a definition of the PAC, a list of its goals and mission statement, membership information, accomplishments, and contact names and numbers.

C. Participating in the Planning, Development, and Evaluation of Special Education Programs by Addressing the Substantive Priorities of Parents

Needs Assessments

A PAC chairperson must encourage the PAC to learn what the primary concerns are among parents of students with disabilities in their community. Many PACs conduct some kind of "needs assessment" to identify the greatest areas of need.

Conducting formal and informal needs assessments, such as online or paper surveys or parent focus groups, serves several purposes. First, the PAC may ask questions regarding knowledge of the PAC's existence and reasons for joining the PAC. The answers to such questions will help PACs to refine recruiting strategies. For example, if parents are not involved because meetings are held during the day, A PAC may consider having occasional evening meetings to reach more parents.

Second, by looking at the results of a needs assessment, the PAC can then better determine which priorities its members believe are the best to focus on during a particular school year.

Third, information gathered from the needs assessment can be used to fulfill the PAC's regulatory responsibility to "participate in the planning, development, and evaluation of the school district's special education programs." Needs assessment data from the PAC can help the district provide valuable, detailed information to the state as part of both the Coordinated Program Review (CPR) process and the State Performance Plan (SPP)⁷.

⁷ SPP – Massachusetts State Performance Plan. Using 20 Indicators to measure progress, the federal Office of Special Education Programs requires that each state produce annual performance plans and program performance reports on special education. The Massachusetts SPP includes baseline data, targets, and improvement activities for each indicator, www.doe.mass.edu/sped/spp.

Information on the issues, concerns, and needs of the parents, staff, and administrators involved with special education can help the PAC and district work together for the benefit of students and families. For example, the PAC could partner with the district to engage professional development speakers in key areas of need.

In any circumstance, it can be helpful to attempt to integrate the PAC's concerns with the school councils' and the priorities and concerns of the school district as a whole. The PAC will benefit from having established itself as a familiar player with a knowledgeable perspective, more than presenting itself as a tiny, unknown entity from an isolated corner of the school system.

Creating Spin-off Groups, such as a Parent Support Group

Often times, some of the parents who are interested in attending a PAC meeting have a desire to share concerns and feelings with other parents about their experiences and hard work in trying to get the best possible special education program in place for their son or daughter. Sometimes, one or more parents might want to find time to discuss their personal situations. While parents will undoubtedly refer to their own experiences at the PAC meeting, one option for giving them an avenue to voice and share concerns is to establish a group that meets separately from the PAC– a "Parent Support Group". That way, parents interested in this can have their needs met, while at the same time, the PAC meeting can remain sufficiently focused on its main advisory function.

Most PACs attempt, in some way, to provide information, resources, and support to parents of children with disabilities, as well as to the community at large.

Helping Parents Make the Contributions They Can

Often, parents- particularly parents of children with disabilities- find it difficult to make time in their busy schedules to attend all the PAC meetings, or to take on all PAC tasks or assignments. However, with a bit of extra communication between PAC leaders and parents, sometimes it is more possible than it might appear at first to find a way for an individual parent to make a contribution. PAC leaders have to try hard to meet parents *where they are*, rather than assuming that they are free to handle larger roles.

For example, try to match a parent's interests and talents with a job that needs to be done. People are more likely to volunteer if they feel competent from the start. Break down responsibilities as much as possible into time-limited tasks that may seem more manageable. One person can help send PAC announcements by email; another can bring refreshments to the meeting. A full year's calendar of PAC presentations can be put together if each speaker is contacted by a different volunteer. Other parents might contribute important feedback by participating in a PAC email group.

To help volunteers become comfortable with larger leadership roles, offer the opportunity to shadow the PAC chairperson or invite an interested parent to attend the PAC chairperson's meeting with the administrator of special education. Remember to publicly recognize everyone who donates time to help the PAC.

PACs across the state use their meetings for a wide variety of purposes and activities. Naturally, members use meetings to discuss concerns at the local level. In addition, PACs plan an array of activities– ranging from inviting guest speakers on special education

topics, to asking a school psychologist to give a talk on the WISC test, to workshops on laws and regulations.

The PAC can often take on an expanded role of helping educate parents and the school community about disabilities and special education. In addition to the annual training done in cooperation with the district on the rights and responsibilities of parents or guardians or students and school districts in the special education process, the PAC can invite speakers and sponsor events and trainings aimed at other key topics in the area of special education.

D. Communicating with Non-English-Speaking Parents

As the diversity of the school population in many districts increases, PACs have had to grow more proactive about attempting to reach out to and involve parents who do not speak English.

Outreach will be more successful if the PACs understand the value systems, especially regarding involvement in schools and special education, of the diverse groups they are trying to reach. Efforts to reach out and involve parents who do not speak English and who are from diverse cultures, will benefit not only the PAC members but will also impact the work of the PAC and the advice it is able to give the district.

For a list of websites offering detailed strategies on partnering with diverse families, see Appendix C.

Possible Practices to Communicate with Non-English-Speaking Parents

- PACs may identify parents who need an interpreter/translator and try to have one present at meetings, if possible, to allow a non-English-speaking parent to participate. PACs may discuss with the school district the resources that are available for interpreting/translating at PAC meetings or associated activities.
- PACs may identify PAC members who speak other languages and are willing to invite or reach out to non-English-speaking parents. Try to get PAC materials translated into multiple languages.
- Seasoned PACs recommend that a first step is to establish ongoing communication and discussion with the groups they are trying to reach, perhaps enlisting the help of school personnel or residents of the community. Such people can facilitate dialogue and provide the PAC with outreach strategies.

E. Assisting the District in Conducting the Required Annual Training

Every school district in Massachusetts "shall conduct, in cooperation with the parent advisory council, at least one workshop annually within the school district on the rights of students and their parents and guardians under state and federal special education laws," according to state special education regulation 603 CMR 28.03(1)(a)(4). In many districts, this training has become an important event that people associate with the PAC, and that reinforces the image of the PAC as a source of valuable, helpful information for parents.

Often, this training is held at the same PAC meeting at the same time each year– which can help ensure that people are aware of it and can plan accordingly.

Clearly, the intent of the regulation is for the district to work *with* the PAC to organize this training and for the two parties to collaborate on its planning and implementation. If the district is planning ahead, this training with the PAC should fit into its overall professional development plan for the school year.

One potential way to hold this event may be to arrange a training at the start of the school year that covers the required content on parents' rights, but also serves as a "kick-off" to the PAC's year. The training could include co-presentations by parents and the special education department, and could be followed by opportunities for the PAC to provide introductory information.

The PAC should include the date and time of the scheduled training on a PAC calendar that is made available to its membership, the public at large, and the school's special education administrator.

IV. APPENDICES

Appendix A: Glossary of Terms

Chapter 766 1972 Massachusetts law (also known as Chapter 71B) guaranteeing all children a free, appropriate public education in the least restrictive environment.

Chapter 71B Massachusetts special education law, also known as Chapter 766, <http://www.mass.gov/legis/laws/mgl/gl-71b-toc.htm>.

Coordinated Program Review (CPR) The Department of Elementary and Secondary Education (ESE) oversees local compliance with education requirements through the Coordinated Program Review (CPR). Each school district and charter school in Massachusetts is scheduled to receive a CPR every six years and a mid-cycle special education follow-up visit three years after the CPR, <http://www.doe.mass.edu/pqa/review/cpr>

ESE Massachusetts Department of Elementary & Secondary Education, <http://www.doe.mass.edu>

Open Meeting Law Massachusetts law which requires that meetings of all governmental bodies be announced 48 hours in advance, recorded by means of minutes, and open to the public, <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIII/Chapter30A/Section20>

PAC Special Education Parent Advisory Council

Statute The law. In Massachusetts, statute is enacted by the Massachusetts state legislature.

SPP Massachusetts State Performance Plan. Using 20 indicators to measure progress, the federal Office of Special Education Programs requires that each state produce annual performance plans and program performance reports on special education. The Massachusetts SPP includes baseline data, targets, and improvement activities for each indicator, <http://www.doe.mass.edu/sped/spp>

Problem Resolution System The Massachusetts Problem Resolution System monitors local compliance with education requirements, <http://www.doe.mass.edu/pqa/prs>

Program Quality Assurance Services (POA) manages the Problem Resolution System on behalf of the Massachusetts Department of Elementary & Secondary Education, <http://www.doe.mass.edu/pqa>

Regulation Massachusetts state agencies, such as the Department of Elementary & Secondary Education (ESE) develop, adopt, and amend regulations to assist everyone in implementing the statute.

603 CMR 28.00 Massachusetts special education regulations, www.doe.mass.edu/lawsregs/603cmr28.html

Appendix B: Frequently Asked Questions

1. Which school district personnel may be PAC members?

School district personnel, including teachers and other service providers and school committee members, may be PAC members as "interested parties," subject to local policies; or if they are parents of children with special needs in that school district, they may be parent members of the PAC.

School district administrators who are not parents of children with special needs in the school district should not be PAC members, because that would put them in the position of advising themselves.

2. May school administrators attend PAC meetings?

Because PAC meetings are subject to Open Meeting Law, school administrators may attend PAC meetings. In the spirit of effective collaboration, it is good practice to invite the administrator of special education to meetings of the PAC.

3. May a school committee or school administrator disband a PAC?

No. A school committee or school administrator may not disband an established PAC. The school district and the PAC are encouraged to cooperate in order to resolve issues. The ESE and the Massachusetts Association of Special Education Parent Advisory Councils (MassPAC) can provide helpful materials.

4. Who can vote at a PAC Meeting?

PACs may address the issue of voting in their own By-Laws. Some PACs have found it effective to allow all members to vote, while taking a vote only if there is a "voting quorum" in which at least two thirds of the PAC members present are parents of children with special needs. Other PACs have defined "General Membership" and "Voting Membership" (see sample By-Laws in Appendix A).

5. Is the PAC membership list a public document?

Since a PAC is an advisory group to a public body (the School Committee), the official PAC membership list of persons who have taken action to join is a public document.

6. May a PAC operate a private email list (for example, "LISTSERV") that is not open to the participation of school employees?

No, all email communications of the PAC, including electronic mailing or distribution lists, are subject to Public Records Law.

7. May a school district adopt policies further defining the operations of a PAC?

School districts may set reasonable operational policies such as notice for use of school buildings or access to school programs. However, the role of a PAC may not be limited in a manner inconsistent with state regulations regarding PACs, or with ESE PAC guidelines.

8. May a school district direct PAC activities?

No. A PAC directs its own activities in cooperation and collaboration with the school district.

9. May a school district prohibit proposed PAC activities?

The goals of the school district and the PAC should be in agreement; the instances should be few in which the school district would want to prohibit PAC activities. The school district may prohibit activities which do not comply with school district operating procedures or with regulations and laws.

10. What authority may a school district maintain regarding PAC newsletters, public statements, correspondence, or reports?

In general, PACs control their own publications and correspondence. However, a school district may establish reasonable guidelines for PAC publications and correspondence – i.e. establishing a time or manner of distribution and prohibiting defamatory statements. PACs are encouraged to use their own letterhead, and PACs may receive responses to mailings as long as confidentiality is assured where applicable. As the PAC's role is to 'advise' the school committee, the PAC determines the contents of its own reports to the school committee."

11. Is there a process for a PAC to express concern about or appeal a school district decision?

A PAC and a school district are strongly encouraged to resolve differences together. Open communication on all issues of concern to all parties is the best approach to problem-solving. However, if a PAC believes a school district is in non-compliance with special education regulations, a PAC should consult the Department of Education, and may access the Problem Resolution System.

Appendix C: List of Websites Pertaining to PACs & Parent Involvement

Massachusetts Department of Elementary and Secondary Education / Special Education

<http://www.doe.mass.edu/sped/>

Massachusetts Association of Parent Advisory Councils

<http://www.masspac.org/>

Federation for Children with Special Needs

<http://www.fcsn.org/>

Massachusetts Association of Special Education Administrators

<http://www.asepage.org/>

Massachusetts Association of School Superintendents

<http://www.massupt.org/>

Massachusetts Association of School Committees

<http://www.masc.org/>

Massachusetts Open Meeting Law Guidelines

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIII/Chapter30A/Section20>

Massachusetts Public Records Division

<http://www.sec.state.ma.us/pre/preidx.htm>

Massachusetts Secondary School Administrators' Association, Inc.

<http://www.mssaa.org/>

Massachusetts SPED PACs online (c/o Concord SPED PAC website)

<http://www.concordspedpac.org/Pacs-in-Mass.html>

National Center for Culturally Responsive Educational Systems (NCCRESt)

<http://www.nccrest.org/about.html>

National Center for Family and Community Connections with Schools

<http://www.sedl.org/connections/>

National Coalition for Parent Involvement in Education

<http://www.ncpie.org/>

National Network of Partnership Schools

<http://www.csos.jhu.edu/P2000/index.htm>

PALMS Project (Postsecondary Access for Latino Middle-Grades Students)

<http://www.palmsproject.net/>

FY23	Budget	November	12/31/22	1/31/2023	3/24/2023	PROJECTED	
SCHL COMM ADVERTISING	\$ 5,000.00	\$ 4,773.00	\$ 5,297.00	\$ 5,297.00	\$ 6,190.00	\$ 6,800.00	
SCHL COMM EXPENSES/MEMBERSHIPS	\$ 5,000.00	\$ 4,292.00	\$ 5,242.00	\$ 5,242.00	\$ 5,242.00	\$ 5,242.00	
SCHL COMM TREASURER EXPENSE	\$ 3,000.00	\$ 500.00	\$ 1,250.00	\$ 1,500.00	\$ 2,000.00	\$ 3,000.00	
SCHL COMM AUDIT EXPENSE	\$ 38,150.00	\$ 6,900.00	\$ 19,550.00	\$ 19,550.00	\$ 19,550.00	\$ 42,550.00	
SCHL COMM TREASURER SUPPLIES	\$ 1,000.00	\$ -	\$ 59.40	\$ 1,261.33	\$ 1,377.46	\$ 1,400.00	
SCHOOL COMMITTEE TOTAL	\$ 52,150.00	\$ 16,465.00	\$ 31,398.40	\$ 32,850.33	\$ 34,359.46	\$ 58,992.00	
ADMINISTRATION SALARIES	\$ 59,708.00	\$ 21,040.79	\$ 28,426.29	\$ 33,796.29	\$ 56,826.29	\$ 90,000.00	Super, Asst
SUPERINTENDENTS MEMBERSHIPS	\$ 1,700.00	\$ 548.00	\$ 548.00	\$ 548.00	\$ 548.00	\$ 700.00	
OTHER ADMIN MEMBERSHIPS	\$ -	\$ -	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	
POSTAGE	\$ 2,000.00	\$ 141.36	\$ 261.67	\$ 517.56	\$ 562.88	\$ 1,000.00	
SUPT. OFFICE EXPENSE	\$ 2,500.00	\$ 479.15	\$ 1,112.44	\$ 1,316.04	\$ 2,083.24	\$ 2,500.00	
SUPERINTENDENT OFFICE TOTAL	\$ 65,908.00	\$ 22,209.30	\$ 31,769.65	\$ 37,599.14	\$ 61,735.62	\$ 96,400.00	
BUSINESS OFFICE SALARIES	\$ 113,114.00	\$ 27,464.71	\$ 59,264.80	\$ 68,350.54	\$ 86,522.02	\$ 120,500.00	Manager, Asst
BUS OFFICE PROF FEES	\$ 700.00	\$ 355.00	\$ 355.00	\$ 355.00	\$ 355.00	\$ 700.00	
BUSINESS OFFICE FEES	\$ -	\$ -	\$ -	\$ 401.85	\$ 401.85	\$ 400.00	
BUSINESS OFFICE TOTAL	\$ 113,814.00	\$ 27,819.71	\$ 59,619.80	\$ 69,107.39	\$ 86,877.02	\$ 121,600.00	
SCHL COMM LEGAL SERVICES	\$ 500.00	\$ 18.00	\$ 4,392.00	\$ 4,417.50	\$ 4,570.50	\$ 6,000.00	
LEGAL SERVICES TOTAL	\$ 500.00	\$ 18.00	\$ 4,392.00	\$ 4,417.50	\$ 4,570.50	\$ 6,000.00	
EMPLOYEE SEPARATION COST	\$ -	\$ 50,101.32				\$ 157,000.00	
EMPLOYEE SEPARATION COST	\$ -	\$ 50,101.32	\$ 83,051.09	\$ 92,465.31	\$ 111,293.75	\$ 157,000.00	
INSTRUCTIONAL SERVICES ADMIN	\$ 255,634.00	\$ 37,399.37	\$ 110,185.53	\$ 122,418.29	\$ 146,583.81	\$ 221,183.00	Prin, Asst, SN Admin
OFFICE SUPPLIES - PRINCIPAL	\$ 1,000.00	\$ 246.25	\$ 755.35	\$ 948.06	\$ 1,020.48	\$ 2,000.00	
PRINCIPAL TOTAL	\$ 256,634.00	\$ 37,645.62	\$ 110,940.88	\$ 123,366.35	\$ 147,604.29	\$ 223,183.00	
INTERNET CONNECTION	\$ 1,200.00	\$ 460.26	\$ 1,270.00	\$ 1,500.13	\$ 1,825.21	\$ 2,000.00	
MEDIA TECH CONTRACT SERVICES	\$ 3,200.00	\$ 1,978.00	\$ 3,619.00	\$ 3,908.00	\$ 4,581.00	\$ 6,000.00	
TECH SOFTWARE	\$ 12,650.00	\$ 12,179.27	\$ 11,279.63	\$ 12,971.88	\$ 13,238.26	\$ 14,000.00	
TECH EQUIPMENT	\$ 5,000.00	\$ 129.34	\$ 1,389.38	\$ 1,956.87	\$ 2,032.81	\$ 2,500.00	
BUILDING TECHNOLOGY TOTAL	\$ 22,050.00	\$ 14,746.87	\$ 17,558.01	\$ 20,336.88	\$ 21,677.28	\$ 24,500.00	
TEACHER SALARIES	\$ 636,976.00	\$ 97,770.97	\$ 314,981.80	\$ 375,843.48	\$ 499,885.26	\$ 685,000.00	
SPEC NEEDS TEACHER SALARIES	\$ 223,681.00	\$ 27,361.98	\$ 91,206.60	\$ 109,679.80	\$ 146,626.20	\$ 229,324.00	& Adj Cnslr
CLASSROOM TEACHERS TOTAL	\$ 860,657.00	\$ 125,132.95	\$ 406,188.40	\$ 485,523.28	\$ 646,511.46	\$ 914,324.00	
SPEC NEEDS CONTRACTED SERVICES	\$ 8,000.00	\$ -	\$ 16,521.74	\$ 23,431.74	\$ 44,847.99	\$ 45,000.00	
SPEC NEEDS SPEECH SERVICES	\$ 35,000.00	\$ 600.00	\$ 23,198.75	\$ 23,198.75	\$ 38,130.00	\$ 58,000.00	
SPEC NEEDS OT SERVICES	\$ 12,000.00	\$ 1,087.50	\$ 4,934.94	\$ 4,934.94	\$ 6,372.44	\$ 9,000.00	
SPEC NEEDS PT SERVICES	\$ 7,000.00	\$ 480.00	\$ 4,543.75	\$ 4,543.75	\$ 5,794.25	\$ 8,000.00	
SPEC NEEDS PSYCH EVALS	\$ 12,000.00	\$ -	\$ 900.00	\$ 2,275.00	\$ 11,505.00	\$ 14,000.00	
MEDICAL SERVICES TOTAL	\$ 74,000.00	\$ 2,167.50	\$ 50,099.18	\$ 58,384.18	\$ 106,649.68	\$ 114,000.00	
SUBSTITUTE TEACHERS - LONG TERM	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
SUBSTITUTE TEACHERS - SHORT TERM	\$ 30,000.00	\$ 2,145.00	\$ 16,587.60	\$ 18,634.30	\$ 29,607.47	\$ 45,000.00	
SUBSTITUTE TOTAL	\$ 30,000.00	\$ 2,145.00	\$ 16,587.60	\$ 18,634.30	\$ 29,607.47	\$ 45,000.00	
PARAPROFESSIONAL COMPENSATION	\$ 83,996.00	\$ 8,784.51	\$ 48,463.58	\$ 58,536.84	\$ 64,754.67	\$ 103,000.00	
SPEC NEEDS PARAPROFESSIONAL	\$ 84,113.00	\$ 8,626.65	\$ 43,838.91	\$ 52,523.34	\$ 3,987.25	\$ 40,000.00	
PARAPROFESSIONAL TOTAL	\$ 168,109.00	\$ 17,411.16	\$ 92,302.49	\$ 111,060.18	\$ 68,741.92	\$ 118,000.00	
MEDIA TECH STAFF	\$ 82,671.00	\$ 9,538.95	\$ 31,796.50	\$ 38,155.80	\$ 50,874.40	\$ 86,000.00	
MEDIA TECH / LIBRARY TOTAL	\$ 82,671.00	\$ 9,538.95	\$ 31,796.50	\$ 38,155.80	\$ 50,874.40	\$ 86,000.00	
PROFESSIONAL DEVELOPMENT	\$ 8,000.00	\$ 2,702.90	\$ 5,785.12	\$ 5,785.12	\$ 9,009.52	\$ 8,000.00	
PD OUTSIDE CONTRACTED	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
PROFESSIONAL DEVELOPMENT TOTAL	\$ 8,000.00	\$ 2,702.90	\$ 5,785.12	\$ 5,785.12	\$ 9,009.52	\$ 8,000.00	
CLASSROOM CURRICULUM SUPPLIES	\$ -	\$ -	\$ 195.00	\$ 195.00	\$ 195.00	\$ -	
SN CLASSROOM CURRICULUM SUPPLIES	\$ 2,000.00	\$ -	\$ 2,085.82	\$ 2,085.82	\$ 5,036.54	\$ 6,000.00	
MUSIC INSTRUCTION SUPPLIES	\$ 1,200.00	\$ 69.95	\$ 1,130.33	\$ 1,130.33	\$ 1,130.33	\$ 1,200.00	
ART INSTRUCTION SUPPLIES	\$ 800.00	\$ -	\$ 739.66	\$ 739.66	\$ 739.66	\$ 800.00	
GYM/HEALTH SUPPLIES	\$ 800.00	\$ 311.84	\$ 311.84	\$ 311.84	\$ 1,114.85	\$ 1,200.00	
COPIER SUPPLIES	\$ 2,000.00	\$ -	\$ -	\$ 57.62	\$ 136.40	\$ 500.00	
AFTER SCHOOL SUPPLIES	\$ -	\$ -	\$ 804.88	\$ 1,072.99	\$ 1,382.09	\$ 2,000.00	
CLASSROOM SUPPLIES TOTAL	\$ 6,800.00	\$ 381.79	\$ 5,267.53	\$ 5,593.26	\$ 9,734.87	\$ 11,700.00	
GENERAL SUPPLIES	\$ 2,000.00	\$ 1,628.08	\$ 1,887.19	\$ 1,934.26	\$ 1,958.49	\$ 2,500.00	
GENERAL SUPPLIES TOTAL	\$ 2,000.00	\$ 1,628.08	\$ 1,887.19	\$ 1,934.26	\$ 1,958.49	\$ 2,500.00	
PK PROGRAM INSTRUCTION	\$ 48,291.00	\$ 4,634.01	\$ 16,996.59	\$ 19,348.47	\$ 26,328.87	\$ 48,291.00	
PK PROGRAM EXPENSES	\$ 1,000.00	\$ -	\$ 609.69	\$ 969.58	\$ 1,335.75	\$ 1,500.00	
SCHOOL PROGRAMS	\$ 3,000.00	\$ -	\$ 1,034.69	\$ 1,034.69	\$ 1,329.50	\$ 3,000.00	
INSTRUCTIONAL SERVICES TOTAL	\$ 52,291.00	\$ 4,634.01	\$ 18,640.97	\$ 21,352.74	\$ 28,994.12	\$ 52,791.00	
INSTRUCTIONAL SOFTWARE	\$ 8,835.00	\$ 6,571.31	\$ 10,366.98	\$ 10,321.98	\$ 10,351.98	\$ 11,000.00	
INSTRUCTIONAL SOFTWARE TOTAL	\$ 8,835.00	\$ 6,571.31	\$ 10,366.98	\$ 10,321.98	\$ 10,351.98	\$ 11,000.00	
HEALTH SALARIES & SUPPLIES	\$ 45,301.00	\$ 6,469.03	\$ 25,158.49	\$ 29,466.19	\$ 38,111.07	\$ 60,000.00	
HEALTH SERVICES TOTAL	\$ 45,301.00	\$ 6,469.03	\$ 27,129.66	\$ 31,437.36	\$ 40,082.24	\$ 62,000.00	
BUS DRIVERS SALARIES	\$ 36,977.00	\$ 2,238.30	\$ 12,634.79	\$ 15,429.46	\$ 17,846.47	\$ 25,000.00	
SN BUS DRV SALARIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
BUS FUEL	\$ 16,000.00	\$ 2,122.90	\$ 6,541.60	\$ 7,536.72	\$ 9,078.76	\$ 14,000.00	
BUS MAINTENANCE	\$ 15,000.00	\$ 5,780.24	\$ 12,665.98	\$ 13,800.98	\$ 15,864.81	\$ 22,000.00	
BUS CONTRACTS	\$ 299,700.00	\$ 23,976.00	\$ 119,880.00	\$ 119,880.00	\$ 119,880.00	\$ 210,000.00	
SN TRANSPORTATION	\$ 32,000.00	\$ -	\$ 6,017.50	\$ 6,017.50	\$ 10,080.00	\$ 20,000.00	
HOMELESS TRANSPORTATION	\$ -	\$ -	\$ 3,750.00	\$ 5,400.00	\$ 9,300.00	\$ 12,000.00	
BUS DRIVER TRAINING	\$ -	\$ -	\$ -	\$ -	\$ 1,160.00	\$ 1,200.00	
TRANSPORT MILEAGE REIMBURSEMENT	\$ -	\$ -	\$ -	\$ -	\$ 345.99	\$ 350.00	
Transfer to Transportation Revolving	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TRANSPORTATION SERVICES TOTAL	\$ 399,677.00	\$ 34,117.44	\$ 161,489.87	\$ 168,064.66	\$ 183,556.03	\$ 304,550.00	

CAFETERIA SUBSIDY	\$ 51,387.00	\$ 43,807.17	\$ 22,310.97	\$ 18,483.67	\$ 34,008.26	\$ 44,000.00	
SCHOOL LUCH TOTAL	\$ 51,387.00	\$ 43,807.17	\$ 22,310.97	\$ 18,483.67	\$ 34,008.26	\$ 44,000.00	
CUSTODIAN SALARY	\$ 98,526.00	\$ 18,386.50	\$ 42,511.43	\$ 48,799.94	\$ 57,048.83	\$ 80,000.00	
CUSTODIAL SUPPLIES	\$ 11,000.00	\$ 1,257.98	\$ 3,881.50	\$ 4,262.37	\$ 5,543.57	\$ 9,000.00	
CUSTODIAL TOTAL	\$ 109,526.00	\$ 19,644.48	\$ 46,392.93	\$ 53,062.31	\$ 62,592.40	\$ 89,000.00	
HEATING OIL	\$ 38,500.00	\$ -	\$ -	\$ 23,394.00	\$ 23,394.00	\$ 47,000.00	
ELECTRICITY	\$ 30,000.00	\$ 3,810.44	\$ 11,221.67	\$ 13,861.47	\$ 22,684.52	\$ 30,000.00	
TELEPHONE	\$ 2,500.00	\$ 371.74	\$ 1,138.60	\$ 1,328.01	\$ 1,724.48	\$ 2,200.00	
SEWER EXPENSE	\$ 6,000.00	\$ 1,501.43	\$ 3,002.86	\$ 3,002.86	\$ 4,504.29	\$ 6,000.00	
UTILITY TOTAL	\$ 77,000.00	\$ 5,683.61	\$ 15,363.13	\$ 41,586.34	\$ 52,307.29	\$ 85,200.00	
GROUNDS MAINTENANCE	\$ 30,000.00	\$ 5,483.50	\$ 9,263.50	\$ 12,473.50	\$ 27,348.50	\$ 30,000.00	
GROUNDS MAINTENANCE TOTAL	\$ 30,000.00	\$ 5,483.50	\$ 9,263.50	\$ 12,473.50	\$ 27,348.50	\$ 30,000.00	
MAINTENANCE CONTRACTS	\$ 28,600.00	\$ 6,153.37	\$ 14,631.34	\$ 16,865.72	\$ 23,552.41	\$ 28,600.00	
BUILDING MAINTENANCE CONTRACT SERVI	\$ 35,500.00	\$ 30,104.88	\$ 35,693.41	\$ 36,405.23	\$ 40,314.48	\$ 50,000.00	
BUILDING MAINTENANCE SUPPLIES	\$ 5,000.00	\$ 1,266.63	\$ 3,381.85	\$ 3,598.88	\$ 5,130.38	\$ 6,400.00	
TRANSFER TO CAPITAL STABILIZATION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
BUILDING MAINTENANCE TOTAL	\$ 69,100.00	\$ 37,524.88	\$ 53,706.60	\$ 56,869.83	\$ 68,997.27	\$ 85,000.00	
BUILDING SECURITY	\$ 1,000.00	\$ -	\$ 698.20	\$ 877.60	\$ 877.60	\$ 1,000.00	
BUILDING SECURITY TOTAL	\$ 1,000.00	\$ -	\$ 698.20	\$ 877.60	\$ 877.60	\$ 1,000.00	
OFFICE EQUIPMENT MAINTENANCE	\$ 1,500.00	\$ 37.49	\$ 89.53	\$ 89.53	\$ 89.53	\$ 500.00	
EQUIPMENT MAINTENANCE	\$ 1,000.00	\$ -	\$ 613.58	\$ 613.58	\$ 871.95	\$ 1,000.00	
EQUIPMENT MAINTENANCE TOTAL	\$ 2,500.00	\$ 37.49	\$ 703.11	\$ 703.11	\$ 961.48	\$ 1,500.00	
UNEMPLOYMENT INSURANCE	\$ 1,991.00	\$ 32.12	\$ 1,169.89	\$ 1,966.24	\$ 2,224.55	\$ 3,000.00	
MEDICARE INSURANCE	\$ 28,865.00	\$ 4,967.89	\$ 13,449.69	\$ 15,653.23	\$ 20,282.42	\$ 28,865.00	
FSA EXPENSE	\$ 1,200.00	\$ 470.00	\$ 665.00	\$ 665.00	\$ 860.00	\$ 1,200.00	
403b ADMIN EXPENSE	\$ 150.00	\$ 24.44	\$ 52.64	\$ 62.04	\$ 90.24	\$ 150.00	
BERKSHIRE REGIONAL RETIREMENT	\$ 148,726.00	\$ 74,363.00	\$ 148,726.00	\$ 148,726.00	\$ 148,726.00	\$ 148,726.00	
EMPLOYEE BENEFITS & INS TOTAL	\$ 180,932.00	\$ 79,857.45	\$ 164,063.22	\$ 167,072.51	\$ 172,183.21	\$ 181,941.00	
HEALTH INSURANCE ACTIVE EMPL.	\$ 627,473.00	\$ 132,386.89	\$ 316,680.43	\$ 363,311.07	\$ 409,941.71	\$ 550,000.00	
HEALTH INS OFFSET ACTIVE EMPL	\$ (131,769.00)	\$ -	\$ (37,729.26)	\$ (49,438.42)	\$ (37,729.26)	\$ (70,000.00)	
LIFE INSURANCE	\$ 1,700.00	\$ 459.42	\$ 980.58	\$ 1,149.14	\$ 1,486.26	\$ 2,000.00	
DISABILITY INSURANCE	\$ -	\$ 1,008.57	\$ 2,622.63	\$ 3,177.30	\$ 3,832.74	\$ 5,200.00	
DISABILITY INSURANCE OFFSET	\$ -	\$ -	\$ (1,271.79)	\$ (2,009.45)	\$ (5,436.75)	\$ (5,000.00)	
DENTAL INSURANCE EXPENSE	\$ -	\$ 1,789.57	\$ 4,438.40	\$ 5,120.14	\$ 5,801.88	\$ -	
DENTAL INSURANCE OFFSET	\$ -	\$ -	\$ (3,144.36)	\$ (4,780.44)	\$ (4,780.44)	\$ -	
VISION INSURANCE EXPENSE	\$ -	\$ 315.77	\$ 464.80	\$ 536.54	\$ 680.02	\$ -	
VISION INSURANCE OFFSET	\$ -	\$ -	\$ (337.68)	\$ (475.80)	\$ (475.80)	\$ -	
ACTIVE EMP INSURANCE TOTAL	\$ 497,404.00	\$ 135,960.22	\$ 281,282.59	\$ 316,189.64	\$ 372,094.70	\$ 482,200.00	
RETIREE HEALTH INS. EXPENSE	\$ 198,733.00	\$ 61,670.97	\$ 142,710.26	\$ 162,251.26	\$ 181,356.85	\$ 240,000.00	
MTRS HEALTH INS. OFFSET	\$ (18,521.00)	\$ -	\$ (7,449.85)	\$ (8,954.78)	\$ (13,376.49)	\$ (17,000.00)	
BCRS INS. OFFSET	\$ (9,781.00)	\$ (3,729.85)	\$ (7,745.44)	\$ (9,076.40)	\$ (7,006.45)	\$ (13,000.00)	
INDIV. RETIREE HEALTH OFFSET	\$ (1,509.00)	\$ -	\$ (1,256.64)	\$ (1,361.36)	\$ (1,151.99)	\$ (1,650.00)	
RETIREE DENTAL INSURANCE	\$ -	\$ -	\$ 3,195.77	\$ 3,664.48	\$ 4,133.19	\$ -	
RETIREE DENTAL OFFSET	\$ -	\$ -	\$ (1,576.57)	\$ (2,045.28)	\$ (2,044.28)	\$ -	
RETIREE VISION INSURANCE	\$ -	\$ -	\$ 428.31	\$ 497.57	\$ 636.09	\$ -	
RETIREE VISION OFFSET	\$ -	\$ -	\$ (247.68)	\$ (410.58)	\$ (409.58)	\$ -	
RETIREE HEALTH INS TOTAL	\$ 168,922.00	\$ 57,941.12	\$ 126,258.33	\$ 142,858.72	\$ 159,821.92	\$ 209,750.00	
COBRA HEALTH INS EXPENSE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
COBRA INSURANCE OFFSET	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
COBRA TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
PROPERTY & CASUALTY INSURANCE	\$ 28,208.00	\$ 27,578.00	\$ 27,578.00	\$ 27,578.00	\$ 27,828.00	\$ 28,000.00	
WORKERS COMPENSATION	\$ 16,000.00	\$ 13,812.00	\$ 14,404.00	\$ 14,404.00	\$ 14,404.00	\$ 14,500.00	
TREASURERS BOND	\$ 350.00	\$ 385.00	\$ 385.00	\$ 385.00	\$ 674.00	\$ 700.00	
NON-EMPLOYEE INSURANCE TOTAL	\$ 44,558.00	\$ 41,775.00	\$ 42,367.00	\$ 42,367.00	\$ 42,906.00	\$ 43,200.00	
NEW EQUIPMENT	\$ 5,730.00	\$ 2,636.02	\$ 3,096.34	\$ 3,096.34	\$ 4,397.28	\$ 5,730.00	
EQUIPMENT LEASE	\$ 11,000.00	\$ 1,734.43	\$ 5,305.95	\$ 6,208.35	\$ 8,013.15	\$ 9,500.00	
ACQUISITION OF EQUIPMENT TOTAL	\$ 16,730.00	\$ 4,370.45	\$ 8,402.29	\$ 9,304.69	\$ 12,410.43	\$ 15,230.00	
VAN PURCHASE	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
CAPITAL EQUIPMENT REPLACEMENT	\$ -	\$ -	\$ 9,541.36	\$ 9,541.36	\$ -	\$ -	
EXTRAORDINARY MAINTENANCE \$150K	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
CAPITAL EXPENDITURE TOTAL	\$ -	\$ -	\$ 9,541.36	\$ 9,541.36	\$ -	\$ -	
TUITION ELEMENTARY SCHOOL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
TUITION MIDDLE SCHOOL	\$ 160,848.00	\$ -	\$ 58,163.00	\$ 67,971.92	\$ 106,558.88	\$ 165,000.00	
SN TUITION MIDDLE SCHOOL	\$ 77,172.00	\$ -	\$ 17,283.97	\$ 18,533.97	\$ 33,234.37	\$ 55,000.00	
TUITION HIGH SCHOOL	\$ 447,898.00	\$ -	\$ 169,460.86	\$ 202,669.67	\$ 301,900.39	\$ 445,000.00	
SN TUITION HIGH SCHOOL	\$ 104,901.00	\$ -	\$ 21,873.08	\$ 23,748.08	\$ 44,043.84	\$ 75,000.00	
SN OD PUBLIC SCHOOL TUITION	\$ 53,829.00	\$ 7,013.38	\$ 7,013.38	\$ 7,013.38	\$ 7,013.38	\$ 7,100.00	
MASS SCHOOL TUITION TOTAL	\$ 844,648.00	\$ 7,013.38	\$ 273,794.29	\$ 319,937.02	\$ 492,750.86	\$ 747,100.00	
SCHOOL CHOICE TUITIONS	\$ 275,368.00	\$ 46,134.00	\$ 133,332.00	\$ 133,332.00	\$ 169,326.00	\$ 275,368.00	
SN SCHOOL CHOICE TUITION	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
SCHOOL CHOICE TOTAL	\$ 275,368.00	\$ 46,134.00	\$ 133,332.00	\$ 133,332.00	\$ 169,326.00	\$ 275,368.00	
SN OD NON PUBLIC SCHL TUITION	\$ 63,682.00	\$ -	\$ 45.42	\$ 17,387.54	\$ 24,569.35	\$ 60,000.00	
Circuit Breaker Revolving Offset	\$ (9,722.00)	\$ -	\$ -	\$ -	\$ -	\$ (9,722.00)	
NON-PUBLIC TUITION TOTAL	\$ 53,960.00	\$ -	\$ 45.42	\$ 17,387.54	\$ 24,569.35	\$ 50,278.00	
TOTAL EXPENSES	\$ 4,672,432.00	\$ 867,138.69	\$ 2,270,745.17	\$ 2,585,971.55	\$ 3,236,051.62	\$ 4,758,307.00	
	% EXPENDED	18.56%	48.60%	55.35%	69.26%	\$ (85,875.00)	

Business Management and Accounting Services for Public School Districts



Customized solutions that meet your unique challenges head-on.

When you work with TMS, we bring our experience, expertise, and innovation to wherever you need it. When our team joins forces with yours, your goals become our goals, and we approach them with a singular purpose: your success.

TMS has been an educational management services provider serving school districts and nonprofits in Massachusetts, Connecticut, Rhode Island, and beyond since 2006. We began with business management, operations, and strategy, and have since added communications and marketing expertise.

Every one of our partners has had unique needs. We've worked with a wide range of organizations — from small startups to nonprofits that have been around for a bit to large school districts. We take a team approach, with one person acting as the lead for each facet of your needs, and then adding the relevant expertise from the rest of our team. TMS's team consists of:

- Experienced business managers
- Budget analysts
- Accountants
- Financial consultants
- Grant writers and analysts
- Strategic planners
- Graphic designers, photographers, and videographers
- Communications specialists
- Social media strategists

We're confident that we can align our expertise to your goals and mission to help you reach the success you're looking for.

We don't offer "cookie cutter" approaches. We tailor our solutions to meet our clients' needs.

*- Andy Paquette
TMS CEO &
President*



Business operations that move you toward your goals.

Since 2006, we have worked with organizations across the country by supporting their operations and re-aligning the way they manage their business functions to meet their goals.

TMS team members have expertise in a wide variety of arenas, and are well-versed in best practices and the legal and ethical considerations in the nonprofit and educational realms.

We can provide expertise and guidance in:

- Fully transparent, site-based budgeting models with training on their use.
- Grant analysis, management, and writing
- Budgeting processes and use of all funds made clear to all stakeholders
- Internal controls, processes, and procedures to ensure funds are used wisely and well
- Budgeting best practices to ensure compliance with federal/state and auditing guidelines
- Procurement services, including cooperative bids with other TMS clients, saving organizations thousands
- Human resources management and collective bargaining support
- Operations review and analysis in line with best practices
- Facilities management consultation

Our team has essential certifications and licenses, including School Business Administration, Superintendent/Assistant Superintendent, School Finance and Operations (ASBO International), MCPPO (Massachusetts Certified Public Purchasing Official) certification, and Certified Government Financial Manager (Association of Government Accountants).

Financial and operational expertise makes it easier for organizations to focus on doing what they do best and meeting their goals.

Experienced accountants that connect your books to your goals.

Our team was built with school business accountancy in mind. With a straightforward, experience-led approach, we provide accounting services that are well-prepared to fit your needs.

From accountants who can provided much-needed expertise and to experienced bookkeeping leads, members of the TMS team will provide expertise and guidance in:

- Accounts payable and receivable, including direct payments, processing of purchase orders, checking of invoices, and preparation of bill schedules
- Payroll functions with appropriate coding and posting, approval chains of direct deposit and retirement activity
- Reporting on retirement and reconciliation
- Internal controls, processes, and procedures to ensure funds are used wisely and well
- Current systems and municipal accounting software, including Infinite Vision and MUNIS
- Massachusetts, Connecticut, and Rhode Island state finance laws and regulations
- Financial reporting including budgets vs actuals with projections and variance explanations

*Experienced
accounting experts
who provide the
reporting, tracking,
and process-
driven activity you
need so that you
can focus on your
success.*

Contact us

Connect with us

1-855-867-0411

info@teamtms.com

www.teamtms.org



RETAINER AGREEMENT BY AND BETWEEN
THE FARMINGTON RIVER REGIONAL SCHOOL DISTRICT AND
THE DUPERE LAW OFFICES, P.C.

WHEREAS, the Farmington River Regional School District is desirous of retaining the Dupere Law Offices, P.C. to provide General Counsel and Labor Relations Counsel representation for the Farmington River Regional School District; and

WHEREAS, the Dupere Law Offices, P.C. are desirous of providing this legal representation for the Farmington River Regional School District;

NOW THEREFORE, in consideration of the mutual promises provided below, and for good and valuable consideration, the parties agree as follows:

1. The Dupere Law Offices, P.C. agree to represent the Farmington River Regional School District as General Counsel and Labor Relations Counsel as follows under the retainer:
 - Any and all advice, written legal opinions, research and interaction and representation before all State Boards and Agencies, and Federal Boards and Agencies such as, but not limited to, the Department of Elementary and Secondary Education, and the Division of Labor Relations without any restriction or limitation of any nature.
 - The retainer covers day to day advice and legal opinions on the interpretation and application of the Education Reform Act of 1993, Open Meeting Law, M.G.L., c. 71, Wage and Hour Law, and any and all other laws impacting School Systems, students, or the employer/employee relationship.
 - Contract administration such as contract negotiations, grievances, unfair labor practices, and discrimination cases.
2. The retainer provides for as many trips to the Farmington River Regional School District as necessary to perform the services covered by this retainer agreement.
3. This retainer does not cover special education matters.
4. This retainer does not cover actions in any court (e.g., small claims, superior, district, appeals, etc.).
5. The retainer amount is \$400.00 per month effective July 1, 2023. There is no charge for mileage. In the event of an action in Boston, the cost of parking shall be billed to the Farmington River Regional School District.
6. The Dupere Law Offices, P.C. agree the rates provided herein will remain in effect through June 30, 2024.

7. The Farmington River Regional School District may discontinue this retainer at any time by giving written notice to the Dupere Law Offices, P.C. that the Farmington River Regional School District no longer wishes to continue under the retainer. The retainer would continue only until the end of the month. (For example, if notice was given on April 18 the retainer would end on April 30).
8. File Retention and Destruction: At the conclusion of each legal matter, and in the event of the conclusion of our representation as legal counsel on your behalf, we will retain your legal files for a period of five (5) years after we close our file. At the expiration of the five (5) year period, we will destroy these files unless you notify us in writing that you wish to take possession of them. We reserve the right to charge administrative fees and costs associated with researching, retrieving, copying and delivering such files.

The above Agreement represents the entire Agreement between the parties. Executed in duplicate by:

Russell J. Dupere, Esq.

Chairperson,
Farmington River Regional School District

Dated: _____

Dated: _____