

TUTORING FOR PAY

Definition: "Tutoring" means giving private instruction or help to an individual or group for which the teacher receives remuneration other than through the School Committee.

Tutoring is not to be recommended for a student unless the appropriate teacher of the student involved is consulted and agrees that it will be of real help. If tutoring seems advisable, the Principal may give the parents/guardians a list of persons who are willing to tutor. This list may include teachers, but not the student's teacher of the subject in which he/she or she is to be tutored.

Tutoring for pay is not to be done in the school building.

SOURCE: MASC Policy

Adopted: December 4, 2003
Revised: November 21, 2013

SUPPORT STAFF POSITIONS Education is a cooperative

enterprise in which
participate intelligently and effectively for the will employ support
staff members in positio program.

All support staff positions will be established initially by the committee. In each case, the Superintendent will submit for the committee's consideration and action a job description or job specifications for the position. Support staff job descriptions and job specifications are available for review in the Superintendent's office.

Although positions may remain unfilled, only ted] f:\$g\$iftpfa gfa\$ fa\$[ifa created.

SOURCE: MASC Policy

Adopted: December 4, 20Q3

SUPPORT STAFF CONTRACTS AND COMPENSATION PLANS

In establishing salaries and salary schedule ItlNltIII1° II
Committee will take into account competitiv
position, the qualifications needed, past ex
service in the school department.

GDB

The rates of pay for personnel not covered by collective bargaining agreements will be set annually by the School Committee. The compensation plan for personnel covered by collective bargaining agreements will be set by negotiations with representatives of the appropriate collective bargaining unit.

LEGAL REF. M.G.L. 71:38

CONTRACT REFS. All Contracts

CROSS REF. GDB subcodes (all relate to compensation) SOURCE: MASC

Policy

Adopted: April 6, 1995
Revised: December 4, 2003

SUPPORT STAFF FAMILY AND MEDICAL LEAVE

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

SOURCE: MASC Policy

CROSS REF. GDCC-R GCCC/GCCC-R

LEGAL REFS. P.O. 103-3, "Family and Medical Leave Act of 1993." Adopted: December 4,

2003

FAMILY
AND PROCEDURES

AND MEDICAL LEAVE ACT REGULATIONS

Policy. In accordance with the Family and Committee will provide eligible employees with (12) work weeks in any "rolling" 12-month period if an employee uses any FMLA leave. The leave paid and unpaid, depending on the circumstances, an employee is not eligible for a 12-week FMLA adoption leave may be granted in accordance with medical leave may be granted in appropriate reasonable accommodation for a disability. In accordance with any applicable collective bargaining agreement.

Eligibility. To be eligible for a FMLA leave, an employee must be employed by the Committee for at least 12 months or 52 weeks (not necessarily consecutive) and have worked at least 1,250 hours during the previous 12-month period. [Other options are fiscal year or calendar year]

Types of Leave Covered. FMLA leave may be taken for one or more of the following reasons:

for the birth or placement of a child for adoption or foster care;

to care for a spouse, child, or parent with a serious health condition;
or

to take a medical leave when the employee is unable to perform the functions of his/her position because of a serious health condition.

A "serious health condition" is an illness, injury, impairment, or physical or mental condition affecting the employee's or family member's health to the extent that inpatient care is required in a hospital, hospice, or residential medical care facility, or a condition that requires continuing care by a health care provider. It includes a serious and long-term illness which results in recurrent or lengthy absences for treatment or recovery.

A serious health condition includes most cancers, strokes, appendicitis, pneumonia, heart attacks, heart conditions requiring bypass or valve operations, back conditions requiring extensive therapy or surgical procedures, severe arthritis, and ongoing-pregnancy and prenatal care. It does not include voluntary or cosmetic treatments (such as most treatments for orthodontia or acne) which are not medically necessary, unless inpatient hospital care is required.

For any condition which does not require inpatient care, the employee or family member must be receiving continuing treatment by or supervision from a health care provider. Generally, a chronic or long-term health condition which, if left untreated would result in a period of incapacity requiring absence of more than three (3) calendar days from work, school, or other regular daily activities would be considered a serious health condition.

Employees with questions about whether a pgicgr ;(;tu\$fn);u];;[ie(as) s(Leaves Requested

Secaue of Serious Health Condition

To receive FMLA leave because of an employee's own serious health condition or to care for a spouse, child or parent with a serious h ealth condition, e employees should give the following notices and/or certifications:

A 30-day advance notice of the need to take FMLA leave is required when the need is foreseeable. If the need for a leave is not foreseeable, such as in an emergency, then the employee must give as much notice as is possible under the particular circumstances involved.

Notice is given when the employee submits a written request for a leave to his/her immediate supervisor, with a copy to the [Personnel Administrator]. If written notice is not possible because the need for the leave was not foreseeable, oral notification should be given immediately to an employee's supervisor and followed up in writing as soon as possible thereafter.

Satisfactory medical certification must be submitted with the leave request or at least within 15 days of the request for the leave. The required certification form is attached. This certification must support the need for leave due to a serious health condition affecting the employee or the employee's spouse, child or parent, and include the date the serious health condition began, its anticipated duration, diagnosis, and a brief statement of treatment, along with a statement of the employee's intent to return to work.

If the request for leave is for a medical leave because of the employee's own serious health condition, the required medical certification must also include a statement that the employee is unable to perform the essential functions of the employee's position and should note any type of activities the employee can perform.

If the request for leave is to care for a seriously ill family member, the certification must include a statement that the patient requires assistance and that the employee's presence would be beneficial or desirable.

Periodic reports may be required during FMLA leave regarding the employee's status, anticipated duration of leave, and intent to return to work. Medical certification is required to cover all periods of absence while on leave.

Medical documentation will be required certifying the employee's ability to return to work from a leave because of the employee's serious health condition.

When medically necessary, employees may take FMLA leave on an intermittent basis, or by reducing their normal weekly or daily work schedule to care for a sick spouse, child or parent, or because the employee is seriously ill and unable to work. To be eligible for an intermittent or reduced schedule leave, the employee must give thirty (30) days notice, if the leave is foreseeable, and the medical certification must include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule. Further, the employee must discuss with the [Personnel Administrator] the scheduling of such leave to minimize disruption to the school system's operations, and the [Personnel Administrator] may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

The Committee has the right to ask for a second opinion if it has reason to doubt the certification. The Committee will pay for the employee to get a certification from a second doctor, which the Committee will select. Further, if necessary to resolve a conflict between the original certification and the second opinion, the Committee will require the opinion of a third doctor. The Committee and the employee will jointly select the third doctor, and the Committee will pay for the opinion. The third opinion will be considered final.

Leaves Requested for Birth, Adoption, or Foster Care Placement of a Child

Following successful completion of orientation, the Committee provides an unpaid leave of absence for regular employees for the purpose of childbirth or placement of a child for adoption or foster care. The length of a leave depends on your length of service, as follows:

After Completion of Orientation: Maximum leave of eight (8) weeks for childbirth or adoption of a child under the age of 18 or 23 years, if physically or mentally disabled.

After First Year of Employment: For eligible employees, maximum leave of twelve (12) work weeks for childbirth, or placement for adoption or foster care for a child under 18 years, or older if incapable of self-care because of a mental or physical disability. This leave must be concluded within 12-months of the birth or placement.

Any leave taken for childbirth or placement of a child for adoption or foster care will be deducted from an eligible employee's maximum of 12 weeks FMLA leave in a 12-month period.

To receive FMLA leave because of a birth, adoption, or placement of a child in foster care, employees should give the following notices and/or certifications:

At least two weeks advance notice of the need to take a leave and request therefor is required when the need is foreseeable. However, employees are encouraged to provide their supervisor with as much notice as is possible under the particular circumstances involved.

The notice must include the employee's intention to return to work following the leave, and appropriate documentation from a physician for childbirth, or other appropriate entity for adoption or foster care placement should accompany the notice and request for leave.

Notice is given when the employee submits a written request for a leave with appropriate documentation to his/her immediate supervisor, with a copy to the [Personnel Administrator].

While on an approved maternity leave due to childbirth, an employee must use any earned, but unused, sick leave during the period of the maternity leave when the employee is physically unable to work. Employees must also use earned, but unused vacation pay during the leave. Use of vacation or sick pay may not be used to extend the leave period.

A leave for birth or placement for adoption or foster care must conclude within 12 months of the birth or placement. Such a leave must be taken all at once.

Upon return from a maternity/adoption/foster care leave at the conclusion of an eight (8) week or twelve (12) week leave, the employee will be reinstated to his/her previous, or a similar, position with the same status, pay and length of service credit, wherever applicable, as of the date of the leave, unless there has been a layoff or other changes in operating conditions affecting employment during the period of such leave.

Conditions Applicable to All FMLA Leaves

An eligible employee can take up to 12 work weeks of leave under this policy during any 12 month period. The Committee will measure the twelve month period as a rolling 12

month period measured backward from the date of the leave as of the date of the leave under this policy.

Each time the employee takes a leave for one of the reasons covered by the FMLA, the Committee will deduct the leave from the 12 weeks available. FMLA leave may include

absences for which the employee has received paid sick or other leave, or all or part of absences for conditions which progress into serious health conditions to the extent that the leave meets FMLA requirements.

Instructional Personnel. Leaves requested by Instructional Personnel (i.e., those whose principle function is to teach and instruct students) will be subject to the following limitations:

1. Intermittent Leaves. When instructional personnel seek to take intermittent leave for planned medical treatment for more than twenty percent of the total number of working days in the period during which the leave would be used, the Committee may require the employee to elect either to (a) take a leave for a particular duration of time which is not greater than the duration of the planned treatment or (b) be transferred to an alternative position.

2. Leaves Near the End of the Term. The Committee may require instructional personnel to continue their leaves until the end of the term under the following conditions:

the leave begins more than five weeks before the end of that term and lasts at least three weeks, and the employee would otherwise return to work during the last three weeks of the term;

the leave is for a reason other than the employee's own serious health condition, commences during the five weeks before the end of the term, and lasts more than

two weeks, and the employee would otherwise return to work during the last two weeks of the term; or

the leave is for a reason other than the employee's own serious health condition, begins during the last three weeks of the term, and lasts more than five working days.

Substitution of Paid Leave. If the employee has accrued paid leave, the employee must use paid leave first and take the remainder of the twelve (12) weeks as unpaid leave.

While on an approved FMLA leave, an employee must use any earned, but unused, paid time off available, provided the reason for the leave qualifies for the paid time off benefit. For example, when the employee is physically unable to work, sick leave must be used, then a available vacation or personal time. If the leave is on account of the

placement of a child for adoption or foster care, to care for a spouse, child or parent with a serious health condition or the employee has used all of his/her available earned sick time for his/her own serious health condition, the employee must use vacation or any other paid holiday or personal time available. However, use of paid time, including sick, vacation or personal paid time, may not be used to extend the leave period.

Benefit Continuation. As with any other unpaid leave, employees on authorized unpaid FMLA leaves of absence will not accrue any time-off benefits. However, the period of time for which an employee is on leave will not constitute a break in service.

Subject to the requirements of applicable group health insurance will be continued du twelve (12) weeks. If the employee has pa' contribution toward group health insurance, if employee's pay. However, in the event that must make timely payment of his/her require month for which coverage is extended, but n beginning of the month. If payment is more health insurance may be dropped for the dura employee fails to return from a FMLA leave, t paid to maintain health coverage for the employ

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If the employee contributes to a life insurance or disability plan, the Committee will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee must continue to make those payments along with the health care payments. If the employee does not continue these payments, the Committee may discontinue coverage during the leave period, or will recover the payments at the end of the leave period, in a manner consistent with the law.

Restoration to Position. All employees on a FMLA leave will be restored to an equivalent or the same position at the conclusion of a FMLA leave of no greater than twelve (12) weeks with the same pay, benefits and other employment terms and conditions. The position will be the same or one which entails substantially equivalent skill, effort, responsibility and authority. However, an employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

If an employee returns from a leave of longer than twelve (12) weeks, the employee's position may not be available. However, the Committee will make an effort to find a comparable position. Failure to return from a leave of absence on the anticipated date of return will constitute a resignation.

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Adopted: December 4, 2003

SUPPORT STAFF RECRUITING/POSTING OF VACANCIES

It is the intent of the School Committee to attract and employ the most qualified applicant for each vacancy in the school system as needed.

The School Committee will establish, and be responsible for, all support staff vacancies will be posted in each building.

The Lincoln Public School System is an equal opportunity employer. LEGAL REF.

Chapter 71, Sec. 59B of the General Laws of Massachusetts, Acts

of 1993

Proposed:	January 2, 1976
Adopted:	January 2, 1976
Revised:	December 2, 1982
Revised:	March 23, 1995
Revised:	December 4, 20.03

SUPPORT STAFF HIRING

Through its employment policies, the district will hire the highest qualified personnel for all support positions based upon an awareness to candidates who and welfare of the children attending the school.

It is the responsibility of the Superintendent, who delegates this responsibility, to determine the criteria and to locate the most qualified candidates. It is the approval of the School Committee. The district's goal is to hire who are motivated, will strive always to do their best, to provide the best educational environment for the children.

The following guidelines will be used in the selection of personnel: GDF

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There will be no discrimination in the hiring process due to age, sex, creed, race, color, national origin, disability, sexual orientation or place of residence.

The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.

The administrator responsible for the hiring of a staff member in the case of district wide positions it is the Superintendent and for building based personnel it is the Principal, subject to the review of the Superintendent.

SOURCE: MASC Policy

LEGAL REFS. MGL 71:55B; 71:59B Adopted: December 4 2003

SUPPORT STAFF PROBATION

Each support staff employee will serve a p position for which they are newly hired or in transferred or promoted, unless covered by a that time, the employee will be adequately as ' to carry out the duties required, and job perfo performance be unsatisfactory, a new employ probationary period, or an employee who ha may be returned to their former position.

SOURCE: MASC Policy

Adooted: December 4. 2003

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SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

The Superintendent will make district wide assignments and transfers of support staff members for the efficient operation of the school department as necessary.

The preferences of employees will be taken into consideration in making assignments and transfers; however, the best interests of students and the school system must be given priority.

Within an individual school, the Principal may assign support staff members to tasks appropriate to their positions and qualifications.

SOURCE:

CONTRACT REFS.

Adopted:

MASC Policy

All Support Staff

December 4 2003

EVALUATION OF SUPPORT STAFF

Each employee will be informed of the basis upon which they are to be evaluated in advance of evaluation. The annual evaluation will be based upon,

- 1 their specific work assignment as aligned to their job description, and
2. the contributions made to the overall culture, vision, mission, beliefs, and goals of the Littleton Public Schools.

CROSS REF. CA, Administration Goals

CONTRACT REF.: All Support Staff Agreements

Adopted: December 4, 2003