

Section: B
Category: BOARD GOVERNANCE AND OPERATIONS
File: BA

CODE: BOARD OPERATIONAL GOALS

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

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

In accordance with these principles, the technique will involve:

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

Adoption Date: September 26, 2007

Revised: August 17, 2011

Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD GOVERNANCE AND OPERATIONS
File: BAA

CODE: EVALUATION OF BOARD OPERATIONAL PROCEDURES

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

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

1. Communication with the public
2. Board – Executive Director relationships
3. Board member development and performance
4. Policy development
5. Educational leadership
6. Fiscal management
7. Board meetings
8. Performance of subcommittees of the Board
9. Inter-agency and governmental relationships

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

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

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Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BBA

CODE: BOARD OF DIRECTORS POWERS AND DUTIES

The Board has all the powers conferred upon it through their member district school committee and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the Collaborative.

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

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

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Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BBAA

CODE: BOARD MEMBER AUTHORITY

Authority

Because all powers of the Board of Directors derived from member district school committees and state laws are granted in terms of action as a group, members of the Board have authority only when acting as a committee legally in session.

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

No member of the Board, by virtue of his office, will exercise any administrative responsibility with respect to the Collaborative or command the services of any Collaborative employee.

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

Duties

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

1. To become familiar with the General Laws of the Commonwealth relating to education and school committee operations, regulations of the Massachusetts Board of Education, policies and procedures of the Collaborative.
2. To keep abreast of new laws and the latest trends in education.
3. To have a general knowledge of the goals, objectives, and programs of the Collaborative.
4. To work effectively with other Board members without trying either to dominate the Board or neglect his share of the work.
5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.
6. To vote and act in committee impartially for the good of the students.
7. To accept the will of the majority vote in all cases, and to remember that he is one of a team and must abide by, and carry out, all Board decisions once they are made.
8. To represent the Board and the Collaborative to the public in a way that promotes interest and support.
9. To refer questions and complaints to the proper Collaborative authorities.
10. To comply with the accepted code of ethics for Board members.

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Source: MASC Policy Reference

Legal References:

***Lower Pioneer Valley Educational Collaborative
Board of Directors Policy***

Section: B
Category: BOARD POWERS AND DUTIES
File: BDA

CODE: BOARD ORGANIZATIONAL MEETING

For the purpose of organizing, the Board, at its re-organizational meeting in June, will elect from its membership a chairman, a vice-chairman, and a clerk, all of whom will hold their respective offices for a term of one year or until a successor is elected.

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

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

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

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

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Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BDB

CODE: BOARD OFFICERS

Duties of the Chairman

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

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

As presiding officer at all meetings of the Board, the chairman will:

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

Duties of the Vice-Chairman

The vice-chairman of the Board will act in the absence of the chairman as presiding officer of the Board and will perform such other duties as may be delegated or assigned to him.

Duties of the Clerk

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

Duties of the Treasurer

The treasurer will, on a monthly basis, review all treasury functions for the Collaborative and validate that the treasury functions are being performed in accordance to the provisions and requirements of M.G.L. Chapter 44, Section 54.

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BDD

CODE: BOARD/EXECUTIVE DIRECTOR RELATIONSHIP

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

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

Adoption Date: September 26, 2007

Revised:

Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BE

CODE: BOARD OF DIRECTORS MEETINGS

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

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

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

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Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BEC

CODE: EXECUTIVE SESSIONS

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

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

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

1. The reputation, character, physical condition, or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the Board, an LPVEC employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Board to hold an open session should the individual so request.
2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.

5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the Board or another party.
7. To comply with the provisions of any general or specific law or federal grant-in-aid requirements.
8. To consider and interview applicants for employment by a preliminary screening committee. (The only position that the Board would be involved in that might qualify would be for the position of executive director.) This exemption only applies if it can be determined that an open meeting will have a detrimental affect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.
9. To meet or confer with a mediator with respect to any litigation or public business.
10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

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

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

The Board chair and Executive Director will review executive session minutes for possible declassification at least once each year and, if necessary, will consult with legal counsel. The Board chair will bring minutes recommended for declassification to the Board for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes

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

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

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Revised: August 22, 2012

Source: MASC Policy Reference

Legal References: M.G.L. 30A:21;30A:22

Section: B
Category: BOARD POWERS AND DUTIES
File: BEDA

CODE: NOTIFICATION OF BOARD MEETINGS

As required by law, a minimum of 48 hours' advance notice will be given for any meeting of the Board of Directors, including all subcommittee meetings. The only exception permitted is in case of emergency, which the law defines as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action."

In order to exercise the provisions of 940CMR 29.03(1)(c), notification of the date, time, and location of regular meetings will be accomplished by posting notice to the LPVEC website - www.lpvec.org - rather than individually to each member district community.

Notification of a change in a regular meeting time or place and/or notification of a special meeting will also be posted to the website at least 48 hours in advance as required by law.

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Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BEDB

CODE: AGENDA FORMAT

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

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

Items of business may be suggested by any board member, staff member, or citizen. The inclusion of such items, however, will be at the discretion of the chairman of the board. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the executive director.

The agenda will also provide for time when any citizen who wishes may speak briefly before the board.

The agenda, together with supporting materials, will be distributed to board members three days prior to the meeting to permit adequate time to prepare for the meeting.

Agendas will be posted and made available to the press.

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Legal References:

Section: B
Category: BOARD GOVERNANCE AND OPERATION
File: BEDH

CODE: PUBLIC PARTICIPATION AT BOARD OF DIRECTORS' MEETINGS

All regular and special meetings of the LPVEC Board of Directors shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The Board desires citizens of the member districts to attend its meetings so that they may become better acquainted with the operations and the programs of our collaborative. In addition, the Board would like the opportunity to hear the wishes and ideas of the public.

In order that all citizens who wish to be heard before the Board have a chance, and to ensure the ability of the Board to conduct the member district's business in an orderly manner, the following rules and procedures shall be followed:

1. Individuals or group representatives are welcome to address the Board during the Public Comment portion of the agenda; however, the Board does not respond to any public comment. Public comments will be taken under advisement.
2. In the discretion of the Chairperson, any resident of the community who wishes to address the Board may be asked to submit his name, district of residence, and agenda topic (if applicable) to the Secretary of the Board prior to the start of the meeting on a form prescribed for that purpose.
3. Topics for comment may include but are not necessarily limited to those items listed on the meeting agenda for that evening.
4. Speakers may offer such objective criticisms of the Collaborative operations and programs as concern them, but pursuant to Mass. Chapter 39, 23B, the Board will not hear personal complaints of Collaborative personnel nor against any member of the Collaborative community. Under most circumstances, administrative channels are the proper means for disposition of legitimate complaints involving staff members.
5. All remarks will be addressed through the Chairperson of the meeting.
6. Improper conduct and remarks will not be allowed. Defamatory or abusive remarks are always out of order. If a speaker persists in improper conduct or remarks, the Chairperson may terminate that individual's privilege of address.
7. Under no circumstances will the Board vote upon any matter brought to its attention during the Public Participation portion of the agenda unless the issue in question was previously scheduled on the agenda for a vote.
8. Comments longer than three (3) minutes may be presented to the Board in writing before or after the meeting for Board members= review and consideration at an appropriate time.

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Legal References:

***Lower Pioneer Valley Educational Collaborative
Board of Directors Policy***

Section: B
Category: BOARD POWERS AND DUTIES
File: BG

CODE: BOARD POLICY DEVELOPMENT

The board will develop policies and put them in writing so that they may serve as guides for the discretionary action of those to whom it delegates authority.

The formulation and adoption of these written policies will constitute the basic method by which the board will exercise its leadership in providing for the successful and efficient functioning of the board. Through the study and evaluation of reports concerning the execution of its policies, the board will exercise its control over Collaborative operations.

The board accepts the definition of policy set for the by the National School Boards Association:

Policies are principles adopted by a school committee to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting day-to-day problems, yet be specific enough to give clear guidance.

The policies of the board are framed, and are meant to be interpreted, in terms of state law, regulations of the Massachusetts Board of Education, and other regulatory agencies of the various levels of government.

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Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BGC

CODE: POLICY REVISION AND REVIEW

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

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

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

The board directs the executive director to periodically recall all policy and regulations manuals for administrative updating and committee review.

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Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BGD

CODE: BOARD REVIEW OF REGULATIONS

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

The board may review the regulations developed by the executive director for the Collaborative whenever they appear inconsistent with policy, goals, or objectives of the district, but it will revise or veto such regulations only when, in the board's judgment, they are inconsistent with policies adopted by the board.

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

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Source: MASC Policy Reference

Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BGE

CODE: POLICY DISSEMINATION

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

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

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

The board's policy manual will be considered a public record and will be available for inspection at the executive director's office.

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Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BGF

CODE: SUSPENSION OF POLICIES

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

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Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BHC

CODE: BOARD-STAFF COMMUNICATIONS

The Board wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the executive director.

Staff Communications to the Board

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

Board Communications to Staff

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

Visits to Schools

Individual board members interested in visiting schools or classrooms will inform the executive director of such visits and make arrangements for visitation through the directors of the various programs. Such visits will be regarded as informal expressions of interest in board affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by board members will be carried on only board authorization.

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Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BHE

CODE: USE OF ELECTRONIC MESSAGING BY BOARD MEMBERS

As elected public officials, school committee members serving on the Board of Directors shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), Internet web forums, and Internet chat rooms.

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

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

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the board chairperson, in consultation with the executive director, shall annually designate a member of the central office staff who shall be copied on all electronic correspondence between and among members of the board. These copies shall be printed and retained in the central office in the same fashion as any other board records. Board members who do not have a computer or access to these messages shall be provided copies on a timely basis.

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Legal References:

Section: B
Category: BOARD POWERS AND DUTIES
File: BIA

CODE: NEW BOARD MEMBER ORIENTATION

Each new school committee member appointed as representative to the LPVEC Board of Directors is required to complete, within one year of their election or appointment, orientation training. This orientation shall include, but is not limited to, a review of the LPVEC Assessment Formuale, LPVEC policies, Open Meeting Law, Public Records Law, Conflict of Interest Law, Special Education Law, and the Roles and Responsibilities of Board members.

The Board and Executive Director shall assist each new member to understand the Board's functions, policies and procedures of the LPVEC. As soon as possible after the appointment of a Board member, the Executive Director shall meet with the board member to review the LPVEC budget, most recent revenue and expense report, program descriptions, and general board/administrative protocols.

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