

Ms. Mary A. Manning
Mr. James M. Fleming
Dr. Kristin Pangallo



Ms. Beth Anne Cornell
Mr. Manny Cruz
Ms. Amanda Campbell

Mayor Kimberley Driscoll, Chair

"Know Your Rights Under the Open Meeting Law, M.G.L. c.30A § 18-25 and
City Ordinance Sections 2-2028 through 2-2033"

DATE POSTED: September 1, 2022

REGULAR SCHOOL COMMITTEE MEETING

Notice is hereby given that the Salem School Committee will hold a **Regular School Committee meeting on September 7, 2022 at 7 p.m.** This meeting **will take place in person at 29 Highland Ave., Rm. 227, Salem, MA.** You can also join via Zoom using the link below.

Zoom Link to participate:

<https://us06web.zoom.us/j/83183421720?pwd=Nmk1b2JXMU15VUVteVNMY1ZuN2RWU>

[T0](#)

[Passcode: 550251](#)


I. Call of Meeting to Order

A. Summary of Public Participation Policy (SC Policy #6409).

Read aloud: *The Salem School Committee would like to hear from the public on issues that affect the school district and are within the scope of the Committee's responsibilities. Spanish interpretation is available for anyone who needs it.*

B. Live Spanish Interpretation.

Spanish language interpretation is now provided for all Regular School Committee meetings. To listen to this meeting with Spanish language interpretation, please see instructions below:

1. Click **Interpretation** .
2. Click **Spanish**
3. (Optional) To hear the interpreted language only, click **Mute Original Audio**.

C. Instructions for Participating in Public Comment

Should any member of the Salem community wish to participate in public comment during this meeting, please click on the below link to sign up and submit your comment electronically: <https://forms.gle/qNZhmEU5Wg4kGtt38>. A district staff member will be compiling all comments which will be shared with members prior to the end of the public meeting. Comments will also be summarized in the meeting minutes. Please contact Krista Perry at kperry@salemk12.org or 617-285-7567 with any questions or to report any technical difficulties you experience.

II. Approval of Agenda

III. Approval of Consent Agenda

A. Approval of minutes of Regular SC meeting held August 22, 2022

B. Approval of Warrants: 8/24/22 - \$105,162.76; 8/25/22 - \$284,878.98; 8/31/22 - \$68,914.08; 9/1/22 - \$189,404.26

IV. Public Comment

Please see above for instructions on participating in public comment.

V. Superintendent's Report

- a. District Goals/Benchmarks
- b. School Opening Updates
- c. SPS/SPD School Resource Officer MOU

VI. Action Items: Old Business

VII. Action Items: New Business

- a. Deliberation and vote to authorize Deputy Supt. Kate Carbone to act in place of the Superintendent in his absence and Elizabeth Pauley to act in Deputy Supt. Carbone's absence
- b. Deliberation and vote to appoint Superintendent Zrike as the District's representative to the North Shore Education Consortium
- c. Deliberation and vote to approve the 2022 SPS/SPD School Resource Officer MOU

VIII. Finance & Operations Report

- a. Policy for Procurement

IX. Subcommittee Reports

- a. Policies first read:
 - 1203 Community Use of Kitchens
 - 1401 Police Department Relations
- b. Policy for second read: 6502
- c. Policy for third read: 1102

X. School Committee Concerns and Resolutions

XI. Adjournment

Respectfully submitted by,

Mindy Marino

Executive Assistant to the Superintendent

"Persons requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator at (978) 619-5630 as soon as possible and not less than 2 business days before the meeting, program, or event."

**Sra. Mary A. Manning
Sr. James M. Fleming
Dra. Kristin Pangallo**



**Sra. Beth Anne Cornell
Sr. Manny Cruz
Sra. Amanda Campbell**

Alcaldesa Kimberley Driscoll, Preside

“Conozca sus Derechos según la Ley de Reuniones Abiertas, M.G.L. c.30A § 18-25 y Secciones de Ordenanzas de la Ciudad 2-2028 hasta 2-2033”

FECHA DE PUBLICACIÓN: 1 de septiembre de 2022

REUNIÓN REGULAR DEL COMITÉ ESCOLAR

Se notifica que el Comité Escolar de Salem celebrará una reunión regular del **Comité Escolar el 7 de septiembre de 2022 a las 7 p.m.** Esta reunión **tendrá lugar en persona en 29 Highland Ave., Rm. 227, Salem, MA.** También puede unirse a través de Zoom utilizando el enlace de abajo.

Haga clic en el enlace a continuación para unirse al seminario web:

<https://us06web.zoom.us/j/83183421720?pwd=Nmk1b2JXMU15VUVteNMY1Zu2RWUT0>

Contraseña: [550251](#)

I. Convocatoria a la Sesión Abierta

a. Resumen de la Política de Participación Pública (SC Política #6409)

Lectura en voz alta: *El Comité Escolar de Salem desea escuchar al público sobre temas que afectan al distrito escolar y que están dentro del alcance de las responsabilidades del Comité. Se ofrecerá interpretación al español para quien lo necesite.*

b. Interpretación al español en vivo

La interpretación al español se provee en todas las reuniones del Consejo Escolar Regular. Para escuchar estas reuniones con la interpretación al español, por favor vea las instrucciones de abajo:

1. Pulse en **Interpretation** .

2. Pulse en **Spanish**

3. (Opcional) Para escuchar la lengua interpretada solamente, pulse **Mute Original Audio**.

c. Instrucciones para Participar en el Comentario Público

Si cualquier miembro de la comunidad de Salem desea participar en el comentario público durante esta reunión, por favor pulsar en el enlace de abajo para registrarse y someter su comentario electrónicamente: <https://forms.gle/qNZhmEU5Wg4kGtt38>. Un miembro del personal reunirá todos los comentarios que serán compartidos con los miembros antes de finalizar la reunión pública. Los comentarios también serán resumidos en las minutas de la reunión. Por favor, póngase en contacto con Jensen Frost en jfrost@salemk12.org o en el 617-285-7567 si tiene alguna pregunta o para informar de cualquier dificultad técnica que experimente.

II. Aprobación de la Agenda

III. Aprobación de la Agenda Consensuada

a. Aprobación del acta de la reunión regular del SC celebrada el 22 de agosto de 2022

b. Aprobación de las órdenes de pago: 24-ago-22 - \$105.162,76; 25-ago-22 - \$284.878,98;

31-ago-22 - \$68.914,08; 1-sep-22 - \$189.404,26

IV. Comentario Público

Favor de ver arriba para instrucciones sobre cómo participar en los comentarios públicos.

V. Reporte del Superintendente

- a. Objetivos del distrito/objetivos de referencia
- b. Actualizaciones de la apertura de escuelas
- c. Memorando de Entendimiento entre las Escuelas(SPS)y el Departamento de Seguridad Pública

VI. Elementos de Acción: Asuntos Antiguos

VII. Elementos de Acción: Asuntos Nuevos

- a. Deliberación y votación para autorizar a la Superintendente Adjunta Kate Carbone a actuar en lugar del Superintendente en su ausencia y a Elizabeth Pauley a actuar en ausencia de la Superintendente Adjunta Carbone
- b. Deliberación y votación para nombrar al Superintendente Zrike como representante del Distrito en el Consorcio de Educación de la Costa Norte
- c. Deliberación y votación para aprobar el 2022 SPS / Memorándum de Entendimiento de los Agentes de Recursos Escolares del SPD

VIII. Reporte de Finanzas y Operaciones

- a. Política de contratación

IX. Reportes de los Subcomités

- a. **Política para la segunda lectura:** 6502
- b. **Política para la tercera lectura:** 1102

X. Inquietudes y Resoluciones del Comité Escolar

XI. Clausura

Sometido respetuosamente por,

Mindy Marino

Asistente Ejecutiva del Superintendente

“Las personas que requieran ayuda auxiliar y servicios para una comunicación eficiente tal como un intérprete de lenguaje de señas, un dispositivo asistente para escuchar, o material impreso en formato digital o una modificación razonable de programas, servicios, políticas, o actividades, puede ponerse en contacto con el Coordinador ADA de la Ciudad de Salem al (978) 619-5630 a la brevedad y no más de 2 días laborales antes de la reunión, programa o evento.”

ESCUELAS PÚBLICAS DE SALEM
REUNIÓN REGULAR DEL COMITÉ ESCOLAR
FECHA: 7 de septiembre de 2022

DRAFT

Salem Public Schools Salem School Committee Meeting Minutes August 22, 2022

On August 22, 2022 the Salem School Committee held its regular School Committee meeting at 7:00 PM using a hybrid model.

Members Present In-Person: Mayor Driscoll, Ms. Mary Manning, Mr. Manny Cruz, Ms. Amanda Campbell, Dr. Pangallo, Ms. Beth Anne Cornell

Members Present Virtually: Mr. Fleming

Others in Attendance: Superintendent Stephen Zrike, Deputy Superintendent Kate Carbone, Assistant Superintendent Elizabeth Pauley, Rubén Carmona, Marc LeBlanc, Linda Farinelli

Call of Meeting to Order

Mayor Driscoll calls the meeting to order at 7:02pm and requests a call of attendance. She explained the Public Participation Policy 6409 and also explained the availability of Spanish interpretation.

Attendance

Mayor Driscoll recognizes the attendance with members absent and joining virtually.

Ms. Campbell	Present
Ms. Cornell	Present
Mr. Cruz	Present
Mr. Fleming	Present Virtually
Ms. Manning	Present
Dr. Pangallo	Present
Mayor Driscoll	Present (Enters meeting at 7:05pm)

Approval of Agenda

Mr. Cruz requested a motion to approve the Regular Agenda. A motion is made and accepted. A roll call vote was taken as requested by the school committee secretary.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

DRAFT

Approval of Consent Agenda

Mr. Cruz requested a motion to approve the Consent Agenda. A motion is made and accepted.
A roll call vote was taken.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Public Comments

Palmer Cove Family Event, transportation provided, will be posted on Facebook page. Food, face painting, lots of books for children and adults.

Recess

Mayor Driscoll requests a motion to enter a five minute recess to address the technical difficulties. A motion is made and roll call vote is taken.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Superintendent's Report

a. Back-to-school update - enrollment, staffing, COVID, academics/SEL, facilities

Dr. Zrike thanks the teacher's union, police, and mayor as a welcome back to students. Back to school report to share.

Two minute recess to resolve technical issues

Preparations for back to school, Carlton School first and then remainder of schools.

DRAFT

Dr. Zrike notes the values for our district to focus on. New logo and slogan. Strategic priorities shown on slides. Focus is developing independent learners. Achieve at grade level or higher. Students have cognitive strategies. Culture of warm demanders. Idea of touch love and high expectations of what children can do. We embrace the productive struggle. Release our students to become independent learners. Own ideas and perspectives. states a quote from the Curriculum slide. Principles have these quality materials so students have strong learning experiences every classroom, everyday. Strong foundations in Salem. The city connects and the barr model. Hopefully this year will be less interrupted with Covid. Core instruction as well as kids who will need a little extra. Schools sourced with interventions for students. Data Cycles. Where is each individual student with their learning. Where will they need additional support? Adult well being and health. Strong model of coaching. Steps to pivot and focus on teaching diverse candidates. Students benefit from consistency in the classroom.

Focus on foundation skills. Keep school as uninterrupted as possible. Vaccines will be available at the back to school bash. Following covid guidelines. Hepa filters in classrooms. Weather permitting eating lunch outside. Plenty of supplies, hand sanitizer, wipes, masks. Masks must be worn in nursing offices. No remote instructions available if student tests covid positive. In terms of masking, if we see rises in cases we will want to have conversations to shift our planning. Rapid tests are available through December. Reconsent all students again.

Mr. Cruz - update if masks are optional. Dr.Zrike confirms masks are optional.

Ms.Manning - task force recommendations clarification. Dr. Zrike confirms he will continue to reach out to health advisors. Enrollment numbers across the district. Pre-K is full. Waitlist of twelve students. Birth rates are impacting us for sure. Partially low in kindergarten, first, and second grade. Twenty two families are still waiting on documentation. 98 in district transfers.

Ms.Campbell asks if we are seeing a demand in which language, which bucket? Lottery vs. historical trends. Dr.Zrike states families may not feel comfortable. Ms.Campbell also asks if housing has direct impacts.

Ms.Manning - what are bucket ABC are?

Bucket A - new comers, Bucket B - , Bucket C - native speakers.

Dr.Zrike - update on staffing. Currently nine teaching positions are open. Para professionals as well.

16 people onboarding as of 8/23. Crossing guard openings. Unprecedented times for staffing. Future of the teaching profession. How do we make the profession stanible? How do we become commentative? There is hope to be fully staffed. Consolidate classes. Move staff to help substitute. There is a \$1000.00 sign on bonus as well as an employee referral \$500.00 bonus. Code Red call

DRAFT

Transportation - bus route posted on Aspen as well as the bus routes. Which bus goes to which school and where they stop. Non eligible riders were notified. Special education door to door parents will be notified as well.

Facilities - witch craft tile project has been completed. There will also be a new rug replaced. Salem High has received new furniture as well. New painting and new windows.

New water filling stations across multiple schools.

Electrical and plumbing across schools

Safety and security - we have taken as many steps as we can. Standardized emergency plans.

New SRO. Correspondence will be sent. All offices have panic buttons installed in schools, they have been tested and they do work.

New walkie talkies to communicate with one another between buildings

Review all school door locks. Intercom systems have been checked as well. Cameras will be installed this fall. Separate entrance to the central office. In order to go to an office, you have to check in at the central office. Looking into an identification management system.

Mayor asks about Covid precautions and how to make up five days. Dr. Zrike states Covid does take a toll on the staff. Students can still access work on Google and we offer summer school and interventions. Dr.Zrike would like to explore and continue to discuss. Is there something as a parent we could have in place? How to address the disruptions? Number of students to get caught up.

Dr.Pangallo - impacts with Covid as well as the flu with have a significant impact. Note to families at home - make sure your children get vaccinated as well as booster shots.

Ms.Manning would like regularity for the students. Normalized intervention process.

Bus tracking system - pilot a school bus tracking system.

Hats off to facility team for all the upgrades throughout the summer.

Dr.Zrike calls upon Chelsea for middle school upgrade. Pilot is off and running. 73 families joined outreach. The lottery is 42 students to commit to full year.

Middle School Learning Pilot Upgrade.

First Thursday - neighborhood Walk. Second week Peabody Essex Museum.

Mr.Cruz mentions Salem Maritime

b. Proposed extension of increased rates for substitute teachers through 22-23 SY

Expanding pre k supports. Received grant. \$750k

DRAFT

Site visit for Salem High School. Will tour the building this October. Cell phone pouches will be implemented. Generally positive feedback from parents. Benefit of Yonder is child does not give up the ability to have a phone on them.

Continued growth enrollment in CTU. Menus have been posted today as well as mental health first aid.

Old Business

None

New Business

Deliberation and vote on approval of appointment of Krista Perry as Executive Assistant to School Committee & Superintendent

Motion made by Ms. Campbell. Second by Ms. Cornell.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Mr. Cruz speaks on the superintendent's contract. He does state the sub committee has been busy negotiating contracts with all four of our unions and trying to work on some of the master hiring plans. He states we are also less than one year away from the superintendent's contract expiring. Two months ago a conversation was initiated to talk about a contract extension with the superintendent. The current contract that has been offered to the superintendent is a 5 year contract that would take the superintendent through the next 5 years. Two new provisions were added. Mr. Cruz notes that the superintendent over the last couple of years has not taken a salary increase due to the pandemic, however he is due for an evaluation and raise. He is looking for an increase in the base compensation from \$218,000 to \$228,000. This is a reasonable request. The second new provision is for the superintendent to be eligible for a \$1,000 stipend if he is deemed to be bilingual or biterate by passing the employer approved certification test through the U mass transition interpretation course. Mr Cruz has seen the superintendent in his leadership, not only in our district but also across our commonwealth, as he is often asked to lead projects, not just in Salem but also the department of elementary and secondary education.

DRAFT

Deliberation and vote on approval of superintendent's contract

Mr.Cruz motions for the extension of a five year contract to the superintendent.

Ms.Manning seconds

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Deliberation and vote to extend increased substitute rates through 22-23 SY

Motion made by Ms.Manning. Seconded by Ms. Cornell

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Mayor Driscoll asks for Dr. Zrike to do his due diligence to confirm the profit would be given as planned. Ms. Manning made the motion and Ms. Cornell seconded. A roll call vote was taken.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

DRAFT

Deliberation and vote on approval of donation to Salem High School from the Institution for Savings Charitable Foundation for the 2022 Senior Celebration in the amount of \$1000.00

Mayor Driscoll entertains a motion to accept the gift provided. Ms. Manning asks for clarification on the timeline and Dr. Zrike notes we never reviewed it ahead of the end of this school year. Ms. Campbell made the motion and Ms. Cornell seconded. A roll call vote was taken.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Finance Report

None

Subcommittee Reports

Policies reviewed with Ms.Cornell. Ms.Cornell notes they have reviewed multiple policies with no changes to be made.

Ms. Cornell makes a motion to send policy 1102 for a second read. This policy read is in regards to advertising in schools. Seconded by Mr.Cruz. Roll call vote was taken

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

DRAFT

Ms. Cornell makes a motion to approve policy 1200 and 1204 for community use of school facilities for a third read. Seconded by Mr.Cruz

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Ms. Cornell makes a motion to move policy 6502 Student Advisory Meeting to a first read. Seconded by Mr. Cruz. A new version has been created in regards to state law. In summary an award to any student who works in governance from any of the high schools. Students can apply for this scholarship and applications will be assessed by an ad hoc committee members.

Ms. Campbell does suggest that the second reading could say by the student body of the Salem Public Schools. As well as saying we will award 3 awards will be given so this allows you to select the 3 top applicants rather than an uneven application.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	No - Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

6 in the affirmative, 1 in the negative

School Committee Concerns
none

DRAFT

Adjournment

Mayor Driscoll requested a motion to adjourn. Motion made by Mr. Cruz. Ms. Manning seconded.

Ms. Campbell	Yes
Ms. Cornell	Yes
Mr. Cruz	Yes
Mr. Fleming	Present Virtually
Ms. Manning	Yes
Dr. Pangallo	Yes
Mayor Driscoll	Yes

Motion carries 7-0

Meeting adjourned at 8:58pm.

Respectfully submitted by,

Krista Perry

Executive Administrative Assistant to School Committee and Superintendent



1. Developing our
Workforce



2. Academic
Excellence for All



3. Systems of
Support



4. Strategy &
Accountability



SALEM PUBLIC SCHOOLS

Where belonging leads to opportunity.

Performance Outcome Update September 7, 2022



Our Values

- **Belonging:** We believe all members of our **community** are valued and that our **relationships** are built on **empathy** and respect.
- **Equity:** We believe in promoting **social justice** to ensure an **inclusive** school community where all members are **empowered** and **engaged**.
- **Opportunity:** We believe all students should receive a **personalized** experience to achieve academic success, find **joy** in their learning, and have multiple choices for their post-secondary plans.



Strategic Priorities and Initiatives



1. Educator Development

1A. Build a diverse workforce

1B. Cultivate culturally & linguistically responsive teaching

1C. Empower leaders as the unit of change



2. Academic excellence

2A. Expand high-quality Pre-K

2B. Develop independent learners

2C. Shared, equity-driven vision for high school



3. Support Systems

3A. Empower all students

3B. Engage families as partners

3C. Align structures for SEL supports



4. Strategic and efficient systems

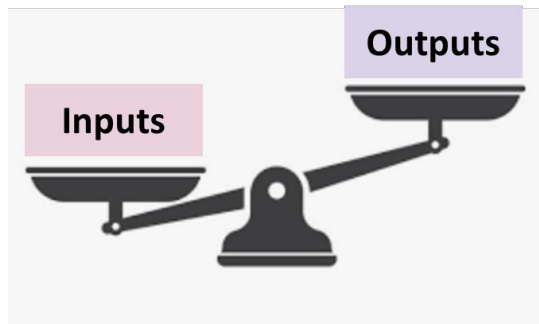
4A. Strategic resource allocation

4B. Strong systems of accountability

4C. Effective data systems

Outcomes Matter

Shifting Our Focus From Inputs to Outcomes



Inputs

We have a foundation of incredibly important work in SPS (examples):

- Instructional priorities
- Coaching



Outcomes

We need to shift to focus not just on what we are doing as adults, but also measuring student performance.

District Metrics: Our North Star

- Increase the percent of **educators and staff who represent the racial, ethnic and linguistic diversity of students** from 6% to 9% for teachers and from 11% to 15% for all staff
- Increase the number of 3-4 year-olds in **high-quality PreK seats** across the Salem Public Schools from 87 students (2019-20) to 185 students
- **Decrease student chronic absenteeism** from 25.1% of students (2018-19) to 20%
- Reduce the **disproportionality of suspensions and days of suspension** by subgroup as compared to the district average by 50%
- Increase the **percent of students who report that they learn about, discuss and confront issues of race, ethnicity and culture** in school (as measured by the annual Panorama survey) from 43% favorability to 55% favorability (grades 3-5) and from 38% favorability to 50% favorability (grades 6-12)



District Metrics: Our North Star

- Increase the **percent of Salem residents who attend the Salem Public Schools** from 76% to 80%
- **Accelerate high school outcomes:**
 - Increase the percent of students who graduate in 4 years from 80.5% (2018-19) to 85%
 - Decrease the percent of students who dropout on an annual basis from 4.5% (2018-19) to 3.7%
 - Increase the percent of students accessing advanced coursework from 44.4% (2018-19) to 60%
- **Improve overall performance as measured by MCAS:**
 - Increase grade 3-8 ELA growth from 49.3 (2018-19) to 52
 - Increase grade 10 ELA growth from 41.5 (2018-19) to 48
 - Increase grade 3-8 math growth from 49.1 (2018-19) to 52
 - Increase grade 10 math growth from 33.4 (2018-19) to 40
 - Increase the % of schools who meet 75% of their accountability targets or more from 14% (2018-19) to 42% of SPS schools



Diversifying the Workforce

Goal 1: Increase the percent of **educators and staff who represent the racial, ethnic and linguistic diversity of students** from 6% to 9% for teachers and from 11% to 15% for all staff

- **21-22:** 9% of teachers are educators of color
- **21-22:** 14% of our staff are educators of color



Increase the % of High-Quality Pre-K seats

Goal 2: Increase the number of 3-4 year-olds in **highquality Pre-K seats** across the Salem Public Schools from 87 students (2019-20) to 185 students

- **21-22:**
 - 167 Pre-K students on October 1, 2021
 - 177 Pre-K students on May 17, 2022
 - 170 Pre-K students on September 6, 2022



Decrease Chronic Absenteeism

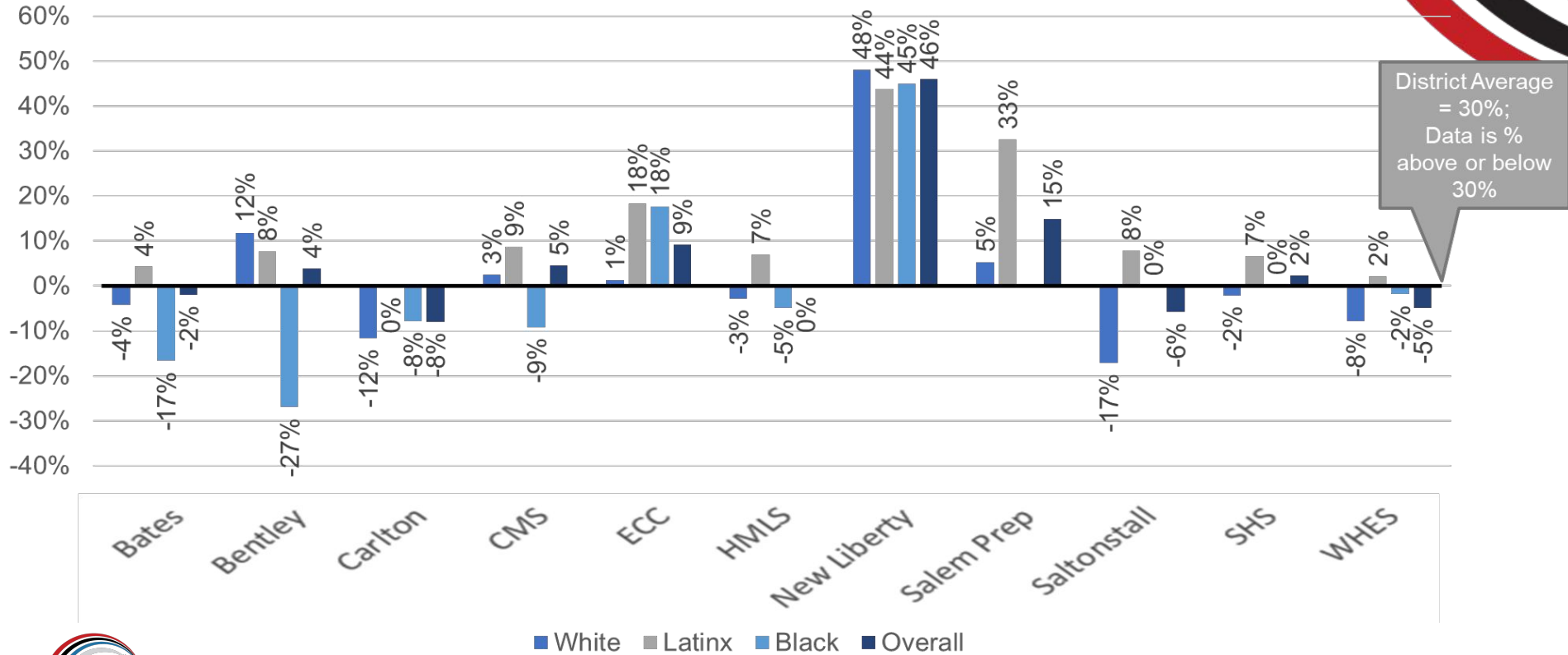
- **Goal 3: Decrease student chronic absenteeism** from 25.1% (pre-pandemic) of students (2018-19) to 20%
- **21-22:**
 - 29.5% (excludes Pre-K)



Chronic Absenteeism by Race/Equity

Chronic absenteeism is defined as absent for 10% of total days

The numbers represent the percent of total students who identify as that race/ethnicity that are chronically absent this year.



Discipline Disproportionality

- **Goal 4:** Reduce the **disproportionality of suspensions and days of suspension** by subgroup as compared to the district average by 50%

Ratio of non-white suspension rate to all student suspension rate

2018-19

2.4% to 2.2% = 9% higher

2021-22

3.9% to 3.4% = 13% higher



Cultural Awareness and Action

- **Goal 5:** Increase the percent of students who report that they learn about, discuss and confront issues of race, ethnicity and culture in school (as measured by the annual Panorama survey) from 43% favorability to 55% favorability (grades 3-5) and from 38% favorability to 50% favorability (grades 6-12)
- **21-22:**
 - **Grades 3-5: 43%**
 - **Grades 6-12: 58%**



Increase Salem residents who attend SPS

- **Goal 6:** Increase the **percent of Salem residents who attend the Salem Public Schools** from 76% to 80%

- **21-22:**

76%



Improved High School Outcomes

Goal 7: Accelerate high school outcomes–

- Increase the percent of students who graduate in 4 years from 80.5% (2018-19) to 85%
- Decrease the percent of students who dropout on an annual basis from 4.5% (2018-19) to 3.7%
- Increase the percent of students accessing advanced coursework from 44.4% (2018-19) to 60%

Graduation Rate

TBD

Dropout #

2018-19: 48

2021-2022: 29

Advanced Coursework

55%



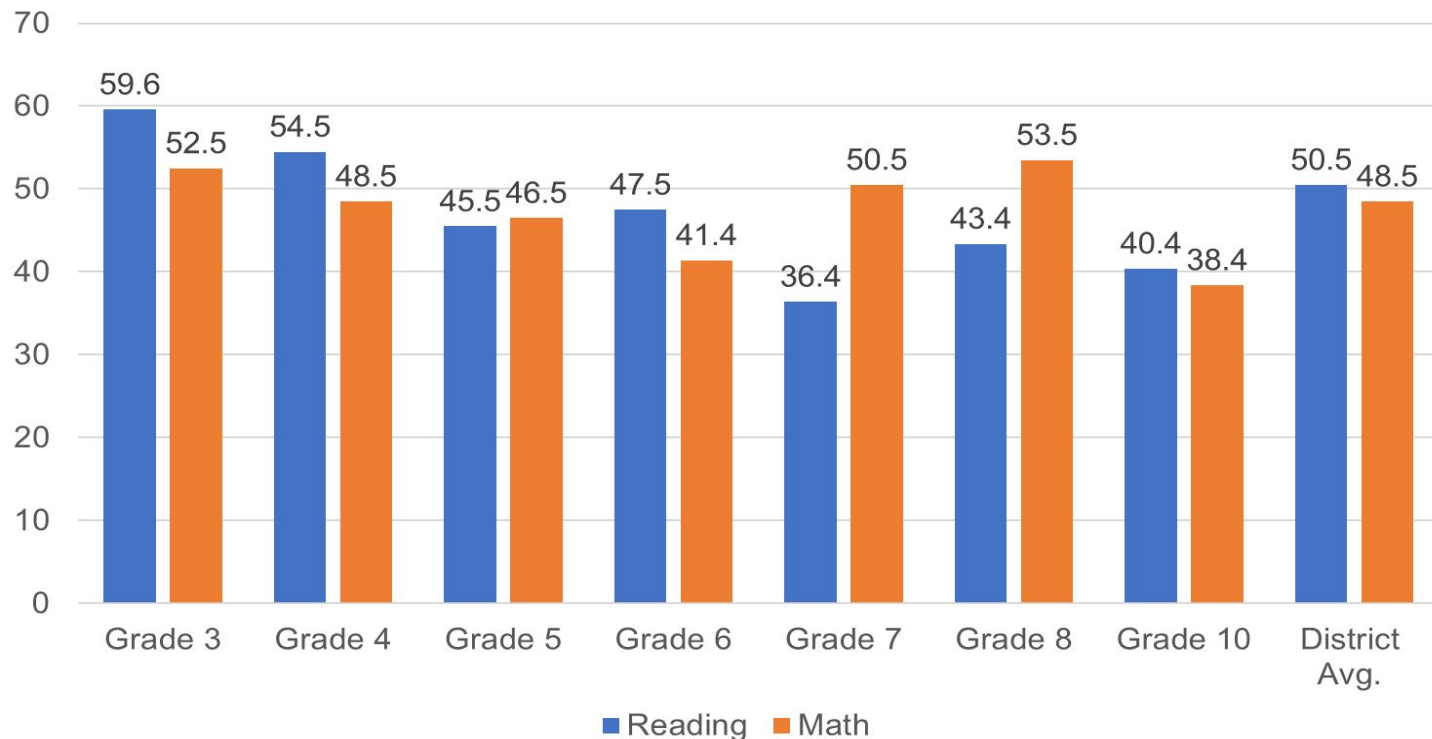
Academic Improvement

- **Goal 8:** Improve overall performance as measured by MCAS:
 - Increase grade 3-8 ELA growth from 49.3 (2018-19) to 52
 - Increase grade 10 ELA growth from 41.5 (2018-19) to 48
 - Increase grade 3-8 math growth from 49.1 (2018-19) to 52
 - Increase grade 10 math growth from 33.4 (2018-19) to 40
 - Increase the % of schools who meet 75% of their accountability targets or more from 14% (2018-19) to 42% of SPS schools



STAR- SGP

Median Student Growth Percentile by Grade (Spring 2022)



Goals:

- Increase grade 3-8 math & ELA to **52** from 49.3 and 49.1 respectively
- Increase grade 10 ELA from 41.5 to **48**
- Increase grade 10 math from 33.4 to **40**

Notes:

- Not all students have matching beginning of year and middle of year data to calculate growth
- This is progress monitoring that is aligned to MCAS but not a perfect prediction

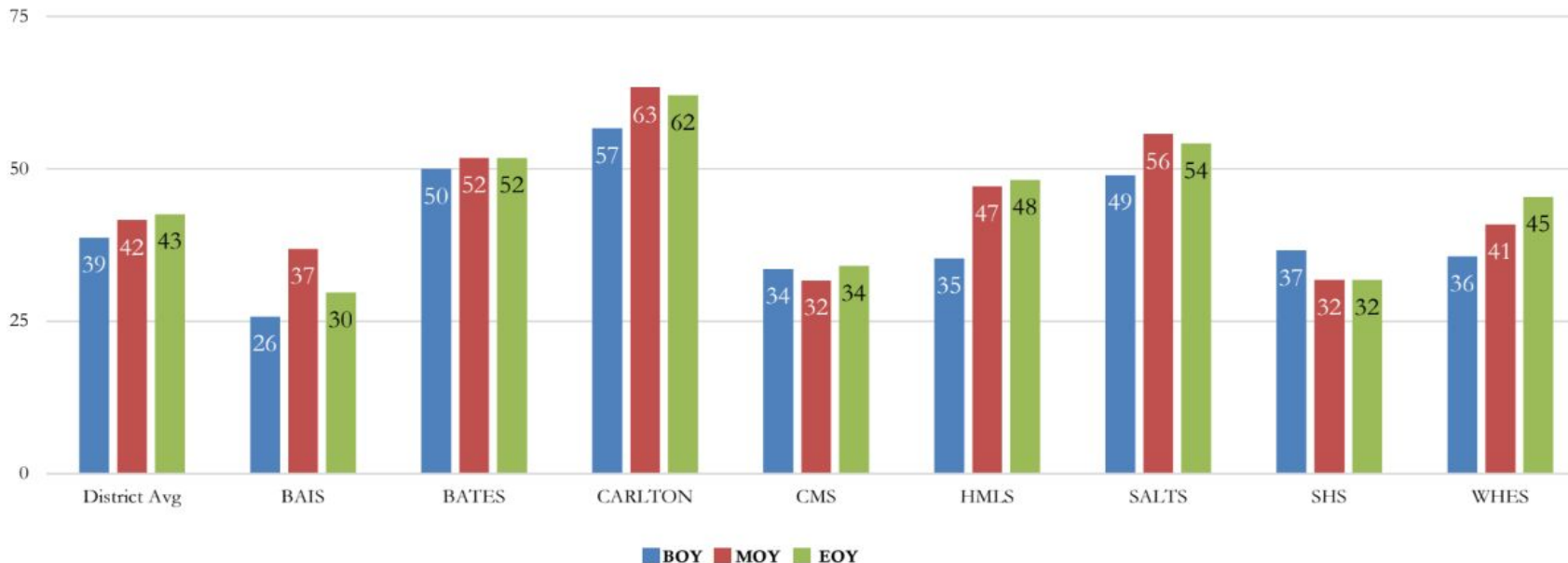


**BOY to EOY:
+4%**

STAR Reading by School

Percent of Students Scoring at or Above Proficiency Benchmark (40th PR)

BOY MOY EOY

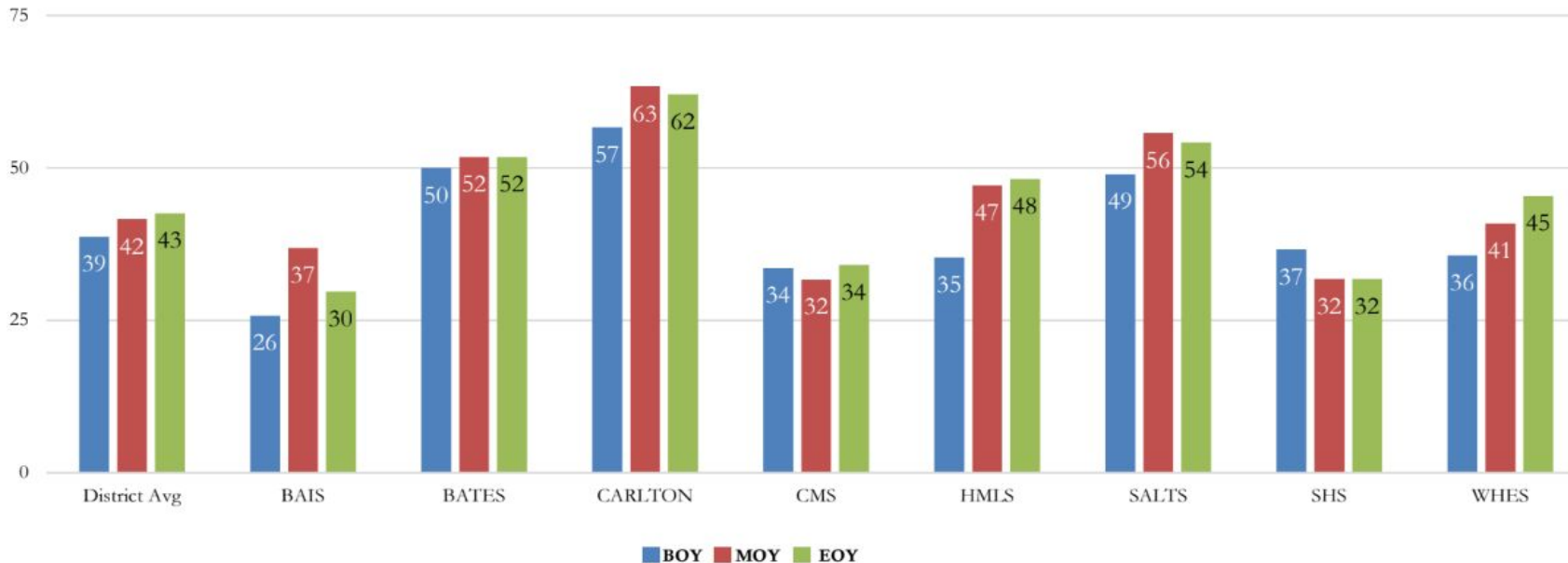


**BOY to EOY:
+5%**

STAR Math by School

Percent of Students Scoring at or Above Proficiency Benchmark (40th PR)

BOY MOY EOY





Questions??



First Week of School Updates

- Back to School Bash
- Staffing
- Transportation
- Cell phone pouches
- Plan for students who are absent for an extended period (COVID)



2022 School Resource Officer Memorandum of Understanding

Between
Salem Public Schools
and
Salem Police Department

This agreement (the “Agreement”) is made by and between Salem Public School District (the “District”) and the Salem Police Department (“Police Department”) (collectively, the “Parties”). The Chief of Police of the Police Department or the board or officer having control of the police department in a city or town (the “Chief”) and the Superintendent of the District [*or, in the case of charter schools: the head of the school*] (“the Superintendent”) are each a signatory to this Agreement. The provisions of this Agreement are specifically required by [section 37P of chapter 71 of the General Laws, as amended by Section 79 of chapter 253 of the Acts of 2020](#).

Purpose

The purpose of this Agreement is to formalize and clarify implementation of the partnership between the school and the School Resource Officer (“SRO”)/the District and a Police Department regarding the placement of a police officer at Salem Public School(s) (the “School”) in order to promote school safety; help maintain a positive school climate for all students, families, and staff; enhance cultural understanding between students and law enforcement; promote school participation and completion by students; facilitate appropriate information-sharing (as outlined in Section VI below); and inform the Parties’ collaborative relationship to best serve the school community.

This memorandum does not, and may not be relied upon to, create any rights, substantive or procedural, enforceable by any person in any civil or criminal matter. Modifications of this Agreement are permissible when necessary to indicate local practice, so long as they are consistent with state and federal law.

I. Mission Statement, Goals, and Objectives

The mission is to facilitate relationship-building by the SRO such that students, faculty, staff, and community members see the SRO as contributing to a positive school climate. This will be realized by supporting and fostering the safe and healthy development of all students in the District [*or at the School*] through strategic and appropriate use of law enforcement resources and with the mutual understanding that school participation and completion are indispensable to achieving positive outcomes for youth and public safety.

The Parties are guided by the following goals and objectives (the “Goals and Objectives”):

- To foster a safe and supportive school environment that allows all students to learn and flourish regardless of race, religion, national origin, immigration status, gender, disability, sexual orientation, gender identity, gender expression, or socioeconomic status;
- To promote a strong partnership and communication between school and police personnel and clearly delineate their roles and responsibilities;
- To establish a framework for principled conversation and decision-making by school and police personnel regarding student conduct and students in need of services;
- To ensure that school personnel and SROs have clearly defined roles in responding to student conduct and that school administrators are responsible for code of conduct and routine disciplinary violations;

- To minimize the number of students unnecessarily out of the classroom, arrested at school, or court-involved;
- To provide requirements and guidance for training, including SRO training required by law and consistent with best practices and training for school personnel as to when it is appropriate to request SRO intervention;
- To outline processes for initiatives that involve the SRO and school personnel, such as violence prevention and intervention and emergency management planning, that can be provided upon request; and
- To offer presentations and programming to the school focusing on criminal and juvenile justice issues; community and relationship building; and prevention, health, and safety topics.

Nothing in this Agreement shall limit an officer's ability to exercise lawful authority consistent with all laws of the Commonwealth.

II. Roles and Responsibilities of the SRO and School Administrators and Staff in Student Conduct

A "school resource officer" is a duly sworn municipal police officer, or a special officer appointed by the chief of police, with all necessary training and up-to-date certificates, including special school resource officer certification as required by subsection (b) of section 3 of chapter 6E of the General Laws and is charged with: (i) providing law enforcement; (ii) promoting school safety and security services to elementary and secondary public schools; and (iii) maintaining a positive school climate for all students, families and staff.

The Parties agree that school officials and the SRO play important and distinct roles in responding to student conduct to ensure school safety and promote a positive and supportive learning environment for all students.

Under state law, the SRO shall not (i) serve as school disciplinarian, enforcer of school regulations, or in place of licensed school psychologists, psychiatrists, or counselors; or (ii) use police powers to address traditional school discipline issues, including non-violent disruptive behavior.

The principal or principal's designee shall be responsible for student code of conduct violations and routine disciplinary violations. The SRO shall be responsible for investigating and responding to potential criminal or delinquent offenses as well as student conduct that requires immediate intervention to maintain safety, as described below. The Parties acknowledge that many acts of student conduct that may contain all the necessary elements of a criminal offense are best handled through the school's disciplinary process. The SRO shall read the student code of conduct for both the District and the school and seek clarification on any questions the SRO has.

The principal or principal's designee and the SRO shall use their reasoned professional judgment and discretion to determine whether SRO involvement is appropriate for addressing student conduct. In such instances the guiding principle is whether conduct rises to the level of criminal and delinquent conduct that (1) poses substantial harm to the physical well-being of another person or (2) is willful and malicious and causes substantial harm to the property of the school or (3) constitutes the taking of property of substantial value belonging to another with intent to permanently deprive the property owner of the property. The Parties acknowledge that it may be appropriate for school administrators rather than the SRO deal with low-level offenses including but not limited to misdemeanor allegations of threats, assault and battery, larceny, receiving stolen property, and willful, malicious, or wanton destruction or injury to

personal property. School staff shall not ask an SRO to serve as a school disciplinarian or enforcer of school regulations.

In instances of student conduct that do not require a law enforcement response, including any incident involving misconduct by a student under 12 years of age, the principal or principal's designee shall determine the appropriate disciplinary response, allowing the student to remain in school unless doing so would pose a serious safety or security risk. The principal or principal's designee should prioritize school or community-based accountability programs and services, including but not limited to, peer mediation, restorative justice, and mental health resources, whenever possible.

For student conduct that requires immediate intervention to maintain safety (whether or not the conduct involves criminal conduct), the SRO may act to de-escalate the immediate situation (where feasible) and to protect the physical safety of members of the school community. To this end, school personnel may request the presence of the SRO when they have a reasonable and articulable fear of an imminent threat to their safety or the safety of students or other personnel.

The SRO shall inform the principal or principal's designee, where practicable, to facilitate supportive intervention by school staff on behalf of the student in an emergency situation where a student may be in immediate need of emergency medical or psychological assistance. Such intervention is appropriate when a school nurse, psychologist, or social worker is not available, and the SRO believes that failure to intervene would create a substantial likelihood of serious harm to the student, other students, school personnel or result in destruction to school property by reason of mental illness or psychological trauma.

When the SRO or other Police Department employees have opened a criminal investigation, school personnel shall not interfere with such investigation or act as agents of law enforcement. To protect their roles as educators, school personnel shall assist in a criminal investigation only as witnesses or to otherwise share information consistent with Section VI, except in cases of emergency. Nothing in this paragraph shall preclude the principal or principal's designee from undertaking parallel disciplinary or administrative measures that do not interfere with a criminal investigation.

The SRO shall consult with the principal or principal's designee prior to an arrest whenever practicable, and the student's parent or guardian shall be notified as soon as practicable after an arrest. A summons is the preferred method for bringing all juveniles to court unless there is reason to believe the juvenile will not appear upon a summons. In the event of an investigation by the SRO that leads to custodial questioning of a juvenile student, the SRO shall notify the student's parent/guardian or interested adult in advance and offer them the opportunity to be present during the interview.

At least annually, it shall be the responsibility of the District to provide training and information to educators and other school staff on the distinct roles of school administration and SROs in addressing student conduct, consistent with this Section and this Agreement, as well as the Standard Operating Procedures accompanying this Agreement and described in Section X.

III. The Process for Selecting the SRO

The Parties acknowledge that the selection of the SRO is important to achieving the purpose, goals, and objectives of this MOU, and that it is important for the Parties and the school community to have a positive perception of and relationship with the SRO.

In accordance with state law, the Chief of Police shall assign an officer whom the Chief believes would foster an optimal learning environment and educational community and shall give preference to officers who demonstrate the requisite personality and character to work in a school environment with children and educators and who have received specialized training including, but not limited to: continuing

professional development in child and adolescent development, conflict resolution and diversion strategies, de-escalation tactics, trauma informed practices, diversity, equity, and inclusion, behavioral health and any other training required by the Municipal Police Training Committee established in [Section 116 of Chapter 6](#). The Chief of Police, or any employee of the state police assigning an officer, shall work collaboratively with the Superintendent in identifying officers who meet these criteria and in selecting the officer who is ultimately assigned as the SRO.

Should the Superintendent request assignment of an SRO and the Chief, in consultation with the Superintendent, determines there are not sufficient resources to assign an SRO to serve the city, town, regional school district, or county agricultural school, the Chief shall consult with the Department of State Police regarding the option of an officer being assigned, subject to appropriation, and pursuant to all requirements under the MOU and governing state law (e.g., regarding SRO training).

The Chief shall consider the following additional factors in the selection of the SRO:

- Proven experience working effectively with youth;
- Demonstrated ability to work successfully with a population that has a similar racial and ethnic makeup and language background as those prevalent in the student body, as well as with persons with physical and mental disabilities, including persons with special educational needs, persons on the autism spectrum, and persons with behavioral health challenges;
- Demonstrated commitment to making students and school community members of all backgrounds feel welcomed and respected;
- Demonstrated commitment to de-escalation, diversion, and/or restorative justice, and an understanding of crime prevention, problem-solving, and community policing in a school setting;
- Knowledge of school-based legal issues (e.g., confidentiality, consent), and demonstrated commitment to protecting students' legal and civil rights;
- Knowledge of school safety planning and technology;
- Demonstrated commitment and ability to engage in outreach to the community;
- Knowledge of school and community resources;
- A record of good judgment and applied discretion, including an absence of validated complaints and lawsuits, documented in annual reviews conducted pursuant to Section VII.

In endeavoring to assign an SRO who is compatible with the school community, the Chief shall receive and consider input gathered by the Superintendent from the school principal(s) and representative groups of teachers, parents, and students, in addition to the Superintendent. In accordance with state law, the Chief shall not assign an SRO based solely on seniority.

The Chief shall consider actual or apparent conflicts of interest, including whether an officer is related to a current student at the school to which the officer may be assigned as an SRO. As part of the application process, officers who are candidates for an SRO position shall be required to notify the Chief about any relationships with current students or staff members or students or staff members who are expected to join the school community (e.g., children who are expected to attend the school in the coming years). Any SRO who has a familial or other relationship with a student or staff member that might constitute an actual or apparent conflict of interest shall be required to notify the SRO's appointing authority at the earliest opportunity. The appointing authority shall determine the appropriate course of action, including whether to assign another officer to respond to a particular situation, and will advise the SRO and the District accordingly. Nothing in this paragraph is intended to limit the ability of the SRO to respond to emergency situations in District schools.

IV. Annual Review of the SRO

In accordance with state law, the Chief and the Superintendent shall annually review the performance of the SRO, including the success and effectiveness in meeting the goals and objectives of this MOU.

[NOTE: Some districts may wish to have more frequent reviews.] The review shall be conducted at the end of each school year in a meeting among the SRO, the Chief, and the Superintendent. A copy of the review shall be supplied to each attendee.

The Chief and Superintendent shall jointly develop and agree in advance on the metrics for measuring the SRO's performance. The review shall include measures that reward the SRO's performance, subject to the terms of any applicable collective bargaining agreements, for compliance with the terms of this Agreement and the SRO's contributions to achieving the mission, purpose, goals, and objectives as set forth in Sections I and II. The review shall consider SRO efforts to prevent unnecessary student arrests, citations, court referrals, and other use of police authority. The review shall also assess the extent of the SRO's positive interactions with students, families, and staff and the SRO's participation in collaborative approaches to problem-solving, prevention, and de-escalation.

The Chief and Superintendent shall provide a mechanism for receiving feedback from the school community, including principal(s), teachers, students, and families of the school(s) to which the SRO is assigned. The Chief shall seriously consider any such feedback and shall make a good faith effort to address any concerns raised; however, the final selection and assignment of the SRO shall be within the sole discretion of the Chief. If the Superintendent recommends that the SRO not be assigned to a specific school, the Chief shall provide an explanation of any decision to maintain the SRO's assignment.

V. Mechanisms to Incorporate the SRO into the School Environment, including School Safety Meetings

The Parties acknowledge that proper integration of the SRO can help build trust, relationships, and strong communication among the SRO, students, and school personnel.

The District shall be responsible for ensuring that the SRO is formally introduced to the school community, including students, parents, and staff. The introduction shall include information about the SRO's background and experience, the SRO's role and responsibilities, what situations are appropriate for SRO involvement, and how the SRO and the school community can work together, including how and when the SRO is available for meetings and how and when the school community can submit questions, comments, and constructive feedback about the SRO's work. The introduction for parents shall include written information on procedures for communicating with the SRO in languages other than English. The SRO shall also initiate communications with students and teachers to learn their perceptions regarding the climate of their school.

The SRO shall regularly be invited to and attend staff meetings, assemblies, and other school convenings. The SRO shall also be invited to participate in educational and instructional activities, such as instruction on topics relevant to criminal justice and public safety issues. [NOTE: Some districts might add working with community partners on campaigns and messages in schools (e.g., to prevent substance use, vaping, and distracted driving).] If the District has access to a student rights training through a community partner or the District Attorney's Office, the school shall consider offering such a training to students, where practicable, at the start of each school year. The SRO shall make reasonable efforts to attend such training. The SRO shall not be utilized for support staffing, such as hall monitor, substitute teacher, or cafeteria duty.

The Parties acknowledge that the SRO may benefit from knowledge of accommodations or approaches that are required for students with mental health, behavioral, or emotional concerns who have an

individualized education program (“IEP”) under the Individuals with Disabilities Education Act or a plan under Section 504 of the Rehabilitation Act (“504 Plan”). School personnel shall notify parents or guardians of such students of the opportunity to offer the SRO access to the portions of the IEP document or 504 Plan that address these accommodations or approaches. It is within the sole discretion of the parents or guardians to decide whether to permit the SRO to review such documents. The consent of the parent or guardian must be informed and in writing. The consent must specifically designate the exact IEP or 504 Plan documents to be shared, describe the purpose for sharing the record, and specifically authorize access to the SRO. Whenever possible, the school shall make available a staff member who can assist the SRO in understanding such documents and, as appropriate, take other actions to help the student, the student’s family, and the SRO to develop a positive relationship.

The SRO shall participate in any District and school-based emergency management planning. The SRO shall also participate in the work of any school threat assessment team to the extent any information sharing is consistent with obligations imposed by the Family Educational Rights and Privacy Act (“FERPA”) (20 U.S.C. § 1232g) (see further information in Section VI).

VI. Information Sharing Between SROs, School Staff, and Other Partners

The Parties acknowledge the benefit of appropriate information sharing for improving the health and safety of students and also the importance of limits on the sharing of certain types of student information by school personnel. The Parties also acknowledge there are distinctions between personally identifiable information about students contained in education records and information about students not contained in such records as well as student information shared for law enforcement purposes and student information shared to support students and connect them with necessary mental health, community-based, and related services.

A. Points of Contact for Sharing Student Information

In order to facilitate prompt and clear communications, the Parties acknowledge that the principal (or principal’s designee) and the SRO are the primary points of contact for sharing all types of student information in accordance with this Agreement. The Parties also acknowledge that, in some instances, other school officials or Police Department employees may serve as key points of contact for sharing information. Such school officials and Police Department employees are identified below :

Patrol Division Commander
Criminal Investigation Division Lt. & Sgt.
Salem Police Dept. Officer in Charge (OIC)

B. Compliance with FERPA and the Massachusetts Student Record Regulations

At all times, school officials must comply with the Family Educational Rights and Privacy Act ([20 U.S.C. § 1232g](#); [34 CFR Part 99](#)) (FERPA), and the Massachusetts Student Records Regulations, [603 CMR 23.00](#). These rules permit disclosures of personally identifiable information about students (“Student PII”) contained in educational records, without consent, under specific circumstances.

When the District “has outsourced institutional services or functions” to the SRO consistent with 34 C.F.R. § 99.31(a)(1)(i)(B) of FERPA and 603 CMR 23.07(3) of the Massachusetts Student Records Regulations, the SRO can qualify as a “school official” who can access, without consent, Student PII contained in education records about which the SRO has a “legitimate educational

interest.” To demonstrate compliance with 34 C.F.R. § 99.31(a)(1)(i)(B), the Parties affirm and agree to the following:

1. School safety is an institutional service for which the District would otherwise use its employees.
2. The District will only disclose to SROs Student PII in education records for the purposes consistent with Sections I and II of this agreement.
3. The SRO is subject to use and re-disclosure requirements in FERPA and the Massachusetts Student Records Regulations, 34 C.F.R. §99.33(a), 603 CMR 23.07(4). The SRO will use Student PII contained in education records only for the purposes described in paragraph 2 (directly above) of this section and will not re-disclose Student PII contained in education records to outside parties, who are not “school officials,” without consent or unless the disclosure satisfies an exception to FERPA or the Massachusetts Student Records Regulations.
4. The District will update its annual notification, required under 34 C.F.R. § 99.37(a) and 603 CMR 23.10, to include SROs as “school officials” and to describe purposes from paragraph 2 (directly above) of this section among “legitimate educational interests” for accessing education records. If the District does not update the annual notification accordingly, the SRO’s access will be limited to education records not containing Student PII, non-education records containing Student PII, and education records containing Student PII disclosed for health and safety emergencies, as described in 34 C.F.R. §§99.31(10), 99.36.

Consistent with 34 C.F.R. §§ 99.31(10) and 99.36 of FERPA, the SRO (or other Police Department employee identified in Section V.A.) may gain access, without consent, to Student PII contained in education records “in connection with an emergency if knowledge of the [Student PII] is necessary to protect the health or safety of the student or other individuals.”

FERPA and the Massachusetts Student Records Regulations apply only to Student PII contained in education records. These rules do not apply to Student PII contained in records of a Law Enforcement Unit or to communications or conversations about what school staff have observed or derived from sources other than education records.

In addition to FERPA and the Massachusetts Student Records Regulations, the Parties agree to comply with all other state and federal laws and regulations regarding confidentiality, including, as applicable, the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and other rules that protect data privacy. The Parties agree to collect only that student information necessary and relevant to fulfilling their respective roles, to share such information with each other only where required or allowed under this Agreement, and not to disclose such information beyond what is contemplated in this Agreement unless required by state or federal law. The Parties shall not collect or disclose information on a student’s immigration status except as required by law.

C. Disclosure to a Law Enforcement Officer or Agency

As required by [section 37L of chapter 71 of the General Laws](#), school department personnel and SROs shall not disclose to a law enforcement officer or agency, including local, municipal, regional, county, state and federal law enforcement, through an official report or unofficial channels, including, but not limited to, text, phone, email, database and in-person communication, or submit to the department of state police’s Commonwealth Fusion Center, the Boston Regional Intelligence Center or any other database or system designed to track gang affiliation or involvement, any information relating to a student or a student’s family member from its databases and other recordkeeping systems including: (i) immigration status; (ii) citizenship; (iii) neighborhood of residence; (iv) religion; (v) national origin; (vi) ethnicity; or

(vii) suspected, alleged, or confirmed gang affiliation, unless it is germane to a specific unlawful incident or to a specific prospect of unlawful activity the school is otherwise required to report. Nothing in this paragraph shall prohibit the sharing of information: (i) for the purposes of completing a report pursuant to section 51A of chapter 119; (ii) upon the specific, informed written consent of the eligible student, parent or guardian; (iii) to comply with a court order or lawfully issued subpoena; (iv) in connection with a health or safety emergency pursuant to the provisions of 603 C.M.R. 23.07(4)(e); or (v) for the purposes of filing a weapon report with the local chief of police pursuant to this section.

D. Information Sharing by School Personnel

1. For Law Enforcement Purposes

Where the principal or principal's designee learns of conduct by a student for which a law enforcement response may be appropriate (as described in Section II), the principal should inform the SRO. If a teacher has information related to such conduct, the teacher should communicate such information to the principal or the principal's designee. The Parties agree that the sharing of such information does not necessarily require a law enforcement response on the part of the SRO but shall instead prompt a careful consideration of whether the conduct is best addressed by law enforcement action, by a school disciplinary response, or by other alternative school-based methods that may include but are not limited to: restorative practices, positive behavior interventions and supports, mediation, conflict resolution and other evidence-based strategies.

Notwithstanding the foregoing, if student information is obtained solely during a communication with school staff deemed privileged or confidential due to the staff member's professional licensure, such communication shall only be disclosed with proper consent or if the communication is subject to the limits and exceptions to confidentiality and is required to be disclosed (e.g., mandatory reporting, immediate threats of harm to self or others). Additionally, if such student information is gathered as part of a "Verbal Screening Tool for Substance Abuse Disorders," such information shall only be disclosed pursuant to the requirements of [G.L. c. 71, § 97](#).

The Parties acknowledge that there may be circumstances in which parents or guardians consent to the disclosure of student information for law enforcement purposes (e.g., as part of a diversion program agreement) and that the sharing of information under such circumstances does not violate this Agreement.

The Parties also acknowledge that, from time to time, an emergency situation may arise that poses a real, substantial, and immediate threat to human safety or to property with the risk of substantial damage. School personnel having knowledge of any such emergency situation should immediately notify or cause to be notified both the Police Department (or the SRO if appropriate to facilitate a response) and the principal or principal's designee. This requirement is in addition to any procedures outlined in the school's student handbook, administrative manual, and/or School Committee policy manual.

Nothing in this section or this Agreement shall prevent the principal or principal's designee from reporting possible criminal conduct by a person who is not a student. Nothing in this section or this Agreement shall prevent school personnel from complying with reporting requirements in state law, including those found in [G.L. c. 71, § 37L](#), [G.L. c. 269, § 18](#), and [G.L. c. 71 § 37O](#).

2. For Non-Law Enforcement Purposes

Based on their integration as part of the school community, SROs may periodically require access to student information for purposes that fall outside of the SRO's law enforcement role outlined in Section II.

Student information received by the SRO (or other Police Department employee identified in Section VI.A.) that is not related to criminal conduct risking or causing substantial harm shall not be used to take law enforcement action against a student but may be used to connect a student or family with services or other supports. Prior to such a disclosure, whenever possible, the principal or principal's designee shall notify the student's parent/guardian, the student, or both, when such information will be shared with the SRO.

E. Information Sharing by the SRO with the Principal or Principal's Designee

Subject to applicable statutes and regulations governing confidentiality, the SRO shall inform the principal or principal's designee of any arrest of a student, the issuance of a criminal or delinquency complaint application against a student, the SRO's perception that a student may be in immediate need of emergency medical or psychological assistance, or a student's voluntary participation in any diversion or restorative justice program if:

- The activity involves criminal or delinquent conduct that poses a (present or future) threat of harm to the physical well-being of the student, other students or school personnel, or school property;
- The making of such a report would facilitate supportive intervention by school personnel on behalf of the student (e.g., because the SRO may be aware of a situation outside of school suggesting the student may benefit from supportive services in school).

When the SRO observes or learns of student conduct in school for which a law enforcement response is appropriate (as described in Section II), the SRO shall convey to the principal or principal's designee as soon as reasonably possible the fact of that conduct and where practicable the nature of the intended law enforcement response.

VII. Organizational Structure, including Supervision of SROs, Lines of Communication between the School District and Police Department, and Complaint Resolution

The SRO shall be a member of the Police Department and report directly to CID Sgt. [*identify Police Department supervisor by position*]. [*Or in cases in which the District has a police force which reports to the Superintendent: The SRO shall be designated as a special employee of the District and shall report directly to N/A [*identify school or District supervisor by position*]*]. To ensure clear and consistent lines of communication, the SRO shall meet at least monthly with the principal or principal's designee and any other school officials identified in Section VI.A. The SRO shall ensure that the principal remains aware of material interactions and information involving the SRO's work, including, but not limited to, arrests and searches of students' persons and property, consistent with Section VI.D.

The salary and benefits of the SRO shall be covered by the Salem Police Dept. The costs of the training required by this Agreement and any other training or professional development shall be paid by the Salem Police Department.

The City of Salem will assume all other costs associated with the placement and retainment of SRO's in Salem Public Schools.

[Insert a paragraph detailing what the District will make available to the SRO with respect to space and equipment, such as dedicated and secure office space for the SRO that allows the SRO to engage in confidential conversations, a desk, chairs, and access to any technology needs. Also specify what equipment the Police Department will provide.]

The Parties shall develop and implement a simple and objective complaint resolution system for all members of the school community to register concerns that may arise with respect to the SRO. The system shall comply with Police Department policies and shall provide for timely communication of the resolution of the complaint to the complainant. The system shall also allow parents and guardians to submit complaints in their preferred language and in a confidential manner that protects the identity of the complainant from the SRO consistent with the SRO's due process rights and any applicable employment protections.

All students, parents, guardians, teachers, and administrators shall be informed of the complaint resolution system and procedures at the beginning of each school year. Upon execution, the complaint resolution system should be placed on file at the office of the Chief of Police, the Superintendent, and the Department of Elementary and Secondary Education.

The Parties shall develop and implement a system that allows for the SRO and other Police Department officers to register concerns, including concerns about misconduct by teachers or administrators, that may arise.

VIII. Training for SROs

In accordance with section [23 of chapter 253 of the Acts of 2020, the Municipal Police Training Committee shall provide](#) training for SROs including but not limited to:

- (i) the ways in which legal standards regarding police interaction and arrest procedures differ for juveniles compared to adults;
- (ii) child and adolescent cognitive development, which shall include instruction on common child and adolescent behaviors, actions and reactions as well as the impact of trauma, mental illness, behavioral addictions such as gaming and gambling disorder, and developmental disabilities on child and adolescent development and behavior;
- (iii) engagement and de-escalation tactics that are specifically effective with youth; and
- (iv) strategies for resolving conflict and diverting youth in lieu of making an arrest.

Such program shall also include training related to:

- (i) hate crime identification and prevention training curriculum including acquisition of practical skills to prevent, respond to and investigate hate crimes and hate incidents and their impact on victim communities;
- (ii) anti-bias, anti-racism and anti-harassment strategies;
- (iii) identification of youth at risk of or who are being commercially sexually exploited;
- (iv) bullying and cyberbullying; and
- (v) helping school resource officers interact effectively with school personnel and victim communities and building public confidence with cooperation with law enforcement agencies.

Additional areas for continuing professional development may include:

- Restorative justice practices

- Cultural competency in religious practices, clothing preferences, identity, and other areas
- Positive behavior interventions and supports
- Training in proper policies, procedures, and techniques for the use of restraint
- Teen dating violence and healthy teen relationships
- Relationship building and positive youth development
- Understanding and protecting civil rights in schools
- Special education law
- Student privacy protections and laws governing the release of student information
- School-specific approaches to topics like cyber safety, emergency management and crisis response, threat assessment, and social-emotional learning

The SRO shall attend a minimum of 12 hours of training per year.

Where practicable, the District shall also encourage school administrators working with SRO's to undergo training alongside SRO's to enhance their understanding of the SRO's role and the issues encountered by the SRO.

IX. Data Collection and Reporting

In accordance with [section 37P\(d\) of chapter 71](#) of the General Laws, “[a]nnually, not later than August 1, the superintendent shall report to the department of elementary and secondary education and publicly present to the relevant school committee: (i) the cost to the school district of assigning a school resource officer; (ii) a description of the proposed budget for mental, social or emotional health support personnel for the school; and (iii) the number of school-based arrests, citations and court referrals made in the previous year disaggregated as required by the department of elementary and secondary education.” To accomplish this, the Parties agree that:

- The Superintendent shall submit such reports and data to the Department annually, not later than August 1, according to the guidance and rules contained in relevant Data Handbooks issued by the Department. With respect to item (iii) above, the Department must receive individual student level data from the District on school-based arrests, citations and court referrals made in the previous academic year.
- The Chief agrees to provide the District with regular access to data in their possession, on an individual level, as needed to fulfill the District's data reporting responsibilities.

X. Accompanying Standard Operating Procedures

The Chief, in consultation with the Superintendent, shall establish operating procedures to provide guidance to SROs about daily operations, policies, and procedures. At a minimum, the operating procedures as established by the Chief shall describe the following for the SRO and shall be consistent with this Agreement:

1. the school resource officer uniform;
2. use of police force, arrest, citation, and court referral on school property;
3. a statement and description of students' legal rights, including the process for searching and questioning students and circumstances requiring notification to and presence of parents and administrators;
4. chain of command, including delineating to whom the SRO reports and how school administrators and the SRO work together;
5. performance evaluation standards, which shall incorporate monitoring compliance with this Agreement and use of arrest, citation, and police force in school;

6. protocols for diverting and referring at-risk students to school and community-based supports and providers; and
7. information sharing between the SRO, school staff, and parents or guardians.

XI. Effective Date, Duration, Applicability, and Modification of Agreement

This Agreement shall be effective as of the date of signing.

This Agreement shall be reviewed annually prior to the start of the school year. This Agreement remains in full force and effect until amended or until such time as either of the Parties withdraws from this Agreement by delivering written notification to the other Party.

Upon execution of this Agreement by the Parties, a copy of the Agreement shall be placed on file in the offices of the Chief and the Superintendent. The District or school shall annually file the Agreement with the Department of Elementary and Secondary Education. The Parties shall also provide this Agreement to the SRO, the principals of any schools where the SRO will work, and any other individuals whom they deem relevant or who request it.

Name: Dr. Stephen Zrike
Superintendent of Schools
Date: _____, 2022

Name: Lucas J. Miller
Chief of Police
Date: _____, 2022



SALEM PUBLIC SCHOOLS

Where belonging leads to opportunity.

Stephen K. Zrike, Jr., Ed.D.

Superintendent

29 Highland Ave. Salem, MA 01970

978-740-1212

szrike@salemk12.org

To: Salem School Committee
From: Steve Zrike
Re: Delegation of Duties
Date: September 7, 2022

I respectfully request that the School Committee authorize Deputy Superintendent Kate Carbone to act on my behalf in my absence. In addition, I request that Asst. Supt. of Finance and Operations, Elizabeth Pauley, be delegated to act on my behalf in Deputy Supt. Carbone's absence.



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Superintendent

29 Highland Ave. Salem, MA 01970

978-740-1212

szrike@salemk12.org

To: Salem School Committee
From: Steve Zrike
Re: Appointment of Representative to Northshore Education Consortium
Date: September 7, 2022

I respectfully request that the School Committee authorize me to serve as the district's representative to the Northshore Education Consortium for the 2022-2023 school year.



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SALEM PUBLIC SCHOOL DISTRICT

Internal Control Manual for Federal Grants

Internal control document to ensure compliance with the Uniform Guidance Administrative Requirements

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Introduction

This manual sets forth the policies and procedures used to administer federal funds. The manual contains the internal controls and grant management standards used to ensure that all federal funds are lawfully expended. It describes in detail the financial management system, including cash management procedures, procurement policies; inventory management protocols; procedures for determining the allowability of expenditures; time and effort reporting; record retention; and sub-recipient monitoring responsibilities. New employees, as well as incumbent employees, are expected to review this manual to gain familiarity and understanding of the rules and practices.

I. Financial Management System

A proper financial management system is maintained in order to receive both direct and state-administered grants and to expend funds associated with a grant award. Certain fiscal controls and procedures must be in place to ensure that all financial management system requirements are met. Failure to meet a requirement may result in return of funds or termination of the award.

A. Financial Management Standards

The standards for financial management systems are found at 2 C.F.R. § 200.302. The required standards include:

Identification

A grant recipient must identify, in its accounts, all federal awards received and expended and the federal programs under which they were received. Federal program and award identification must include, as applicable, the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity.

Financial Reporting

Accurate, current, and complete disclosure of the financial results of each federal award or programs must be made in accordance with the financial reporting requirements set forth in the Education Department General Administrative Regulations (EDGAR).

Accounting Records

A grant recipient must maintain records which adequately identify the source and application of funds provided for federally-assisted activities. These records must contain information pertaining to grant or subgrant awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

Internal Controls

Effective control and accountability must be maintained for all funds, real and personal property, and other assets. A grant recipient must adequately safeguard all such property and must assure that it is used solely for authorized purposes.

“Internal controls” are tools to help program and financial managers achieve results and safeguard the integrity of their program. Internal controls should be designed to provide reasonable assurance that the following objectives are achieved:

- Effectiveness and efficiency of operations;

- Adequate safeguarding of property;
- Assurance property and money is spent in accordance with grant program and to further the selected objectives; and
- Compliance with applicable laws and regulations.

Budget Control

Actual expenditures or outlays must be compared with budgeted amounts for each federal award.

Cash Management

A grant recipient must maintain written procedures to implement the cash management requirements found in 2 C.F.R. § 200.305 and EDGAR.

See page 16 for these written cash management procedures.

Allowable Costs

A grant recipient must maintain written procedures for determining allowability of costs in accordance with Subpart E – Cost Principles and EDGAR.

See page 9 for these written allowability procedures.

B. Overview of the Financial Management/Accounting System

The Salem Public Schools utilizes the Munis accounting software program for its accounting system. Munis is the City of Salem's official record for accounting and all expenditures through payroll and accounts payable are recorded in this system. Budgets for federal grant programs are recorded and maintained in the Munis accounting system along with grant revenues and expenditures.

Once a grant award notice (GAN) is received by the School Department, the Grants Manager sends a copy of the following documents to the City's Finance Office:

- Grant award notice
- Request to Establish New Special Revenue/Grant/CIP Fund form
- Budget template form
- Approved grant application

The Assistant Finance Director will assign the appropriate account codes. In compliance with 2 C.F.R. 200.302, the grant recipient must track the CFDA title and number, federal award identification number and year, name of the federal agency, and, if applicable, name of the pass-through entity. The grant tracking sheet is the method used to meet this requirement. An example of a grant tracking sheet can be found in Appendix A. Once the Assistant City Finance Director establishes the account codes in Munis, the Grants Manager will enter the budgeted amounts. Budgeted amounts in Munis must match the current grant award notice. If an amendment is approved, Munis should be updated within five (5) business days. All grant expenditures must be within the dates of the grant award (start and end dates).

Grant Coordinators are responsible for the inventory of items purchased with grant funds from the time of purchase through their disposal. The Director of Technology is also responsible for

the inventory of all hardware and software purchased with grant funds. All inventories are reviewed on an annual basis.

C. Budgeting

The Planning Phase: Meetings and Discussions

Before the grant application is completed, the Grants Manager reviews the items in the budget. Once the Grants Manager determines that all budgeted items are allowable and approves the budget, the grant application is forwarded to the School Business Manager and Superintendent for final approval.

The Superintendent and School Business Manager must review and approve all grant applications. If the Superintendent approves the concept of applying for the grant and the School Business Manager approves the grant budget, then the grant may be submitted for consideration to the awarding authority.

Grant funds can supplement the budget but cannot supplant budgeted funds. Therefore, when possible, it is critical that the grant application be developed in conjunction with the annual budget. Finally, Grant Coordinators should make use of existing furniture and equipment rather than purchasing new items with grant funds. The School Business Manager or the Director of Facilities are good resources to locate available furniture and equipment for use.

Pension costs and reporting requirements should be discussed when preparing the application. Federally-funded grants are required to set aside an additional 9% of the total salary for Massachusetts Teachers' Retirement System (MTRS) eligible employees. Massachusetts General Laws Chapter 35, Section 32A and Chapter 40, Section 5D require that all federal grants received by local governments be charged for pension costs incurred because of the grant.

After Receiving the GAN

After receiving the GAN, the approved budget can be loaded into Munis. If the GAN mirrors the grant submission budget, the GAN amounts are loaded into Munis without additional discussions. If the GAN amounts vary from the submission (whether increased or decreased), the Grant Manager and Grant Coordinator meet to review the differences and implications for the variance. A revised budget is developed based on the GAN and program objectives. The revised amounts, in sync with the GAN, are then loaded into Munis.

Amending the Budget

Grant amendments can be made for financial and/or programmatic purposes. The Grant Manager can create a grant amendment. Once a grant amendment is deemed necessary, the Grants Manager and Grant Coordinator meet to review the budget and planned expenditures.

Budget Control

Financial performance is monitored by comparing and analyzing actual results with budgeted results. The Grants Manager runs year-to-date budget reports for all grant funds on a monthly basis. The year-to-date budget reports are distributed to Grant Coordinators and the School Business Manager. The Grants Manager meets weekly with the School Business Manager and monthly with Grant Coordinators to review year-to-date reports and expenditures. During these

meetings, the Grants Manager and School Business Manager or Grant Coordinator may discuss whether an amendment is appropriate.

D. Accounting Records

Accounting records are kept in hard copy. The School Business Office is responsible for the maintenance of all purchase orders and related accounting records in conformance with the Municipal Records Retention Schedule. The web address for the retention schedule is: https://www.sec.state.ma.us/arc/arcpdf/Municipal_Retention_Schedule_20190321.pdf

Relevant definitions in this section include the following:

- An asset is: anything owned by an individual or a business, which has commercial or exchange value. Assets may consist of specific property or claims against others, in contrast to obligations due others.
- A liability is: a loan, expense, or any other form of claim on the assets of an entity that must be paid or otherwise honored by that entity.
- Revenue is: the inflows of assets from selling goods and providing services to customers; including the reduction of liabilities from selling goods and providing services to customers.
- An expense is: the amount of assets or services used during a period.

If an error is found while reviewing expenditures during monthly budget meetings and/or grant reconciliations, the Grants Manager will research the potential error and, if necessary, generate a journal entry request with supporting documentation. The School Business Manager reviews and authorizes all School Department journal entry requests. Once signed by the School Business Manager, the Grants Manager sends the journal entry request and supporting information to the Assistant Finance Director. The Assistant Finance Director reviews the journal entry request with the Finance Director and enters the information into Munis. Upon approval, a copy of the approved/signed journal entry request is forwarded to the Grants Manager.

E. Spending Grant Funds

As the recipient of federal funds, the District is responsible for administering the grant consistent with the grantors terms and conditions. Federal funds must be administered in a manner consistent with the cost principles contained in EDGAR and 2 CFR Part 200 the Uniform Administrative Requirements, Cost Principles and Audit Requirements for federal awards. The School Business Manager and Grants Manager are responsible for ensuring compliance with EDGAR and 2 CFR Part 200.

Although each grant may have specific allowable and unallowable costs, we adhere to the federal cost principles when developing and administering the budget. Federal cost principles require costs to be allowable, reasonable, and allocable.

To meet the definition of “allowable,” a cost must be:

1. Be necessary and reasonable to carry out the grant;
2. Be consistent with the policies and procedures that apply uniformly to federal and non-federally financed expenses;

3. Not be included as part of a match of federal funds; and
4. Be adequately documented.

To meet the definition of “reasonable,” the cost of the good or service does not exceed the amount a prudent person would spend on an item at the time the decision was made to incur the cost. Reasonable is further defined as:

1. Use of sound business practices, adherence to federal, state and local laws and regulations; and the terms and conditions of the Federal award.
2. Use of market prices in the metro west Boston area for comparing the costs of goods and services.

To meet the definition of “allocable,” the cost of the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received.

Allocable is further defined as:

1. Costs are incurred specifically for the Federal award.
2. Costs can be distributed in proportions that may be approximated using reasonable methods.
3. Costs necessary to the overall operation of the non-Federal entity.

These definitions are copied from the Code of Federal Regulations (CFR).

Direct and Indirect Costs

Determining Whether a Cost is Direct or Indirect: Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy. 2 C.F.R. § 200.413(a). Indirect costs are those that have been incurred for a common or joint purpose benefiting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. 2 C.F.R. § 200.56. Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs. 2 C.F.R. § 200.413(a).

Identification with the federal award rather than the nature of the goods and services involved is the determining factor in distinguishing direct from indirect costs of Federal awards. Typical costs charged directly to a Federal award are the compensation of employees who work on that award, their related fringe benefit costs, the costs of materials and other items of expense incurred for the Federal award. 2 C.F.R. § 200.413(b). The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

- Administrative or clerical services are integral to a project or activity;
- Individuals involved can be specifically identified with the project or activity;
- Such costs are explicitly included in the budget or have the prior written approval of the federal awarding agency; and
- The costs are not also recovered as indirect costs. 2 C.F.R. § 200.413(c).

Indirect Cost Rate: The Massachusetts Department of Elementary and Secondary Education (MA DESE) determines an unrestricted and restricted indirect cost rate for every district in the

Commonwealth. The rates are determined annually based on information submitted in the End of Year report and are the maximum allowable rate for any fiscal year. Under 34 C.F.R. § 75.561 and 34 C.F.R. § 76.561, a state educational agency may approve an indirect cost rate for longer than one year. According to MA DESE, if a district utilizes an indirect cost figure, it must be equal to or less than the currently approved restricted rate. The decision to recover indirect costs using these established rates is a local option. We do not apply an indirect cost rate to federal grants.

The MA DESE Grants Procedure Manual provides the following information on calculating the indirect cost allowable for a particular grant. The grant manual, and other important information, can be found at <http://www.doe.mass.edu/grants/procedure/manual.html>. Indirect rates cannot be applied to capital expenditures or to the indirect cost themselves. The following formula is recommended:

1. Total entitlement;
2. Minus capital expenditures (Line 10); and
3. Divided by one plus the restricted rate.

The resulting amount is the amount that can be used for grant activities. When this amount is subtracted from the total entitlement, the result equals the amount allowed for indirect cost.

If indirect costs are recovered, they shall be returned to the general fund of the city or town in accordance with Massachusetts General Laws, Chapter 44, Section 53.

Applying the Indirect Cost Rate: Once an indirect cost rate is approved, the percentage is multiplied against the actual direct costs (excluding distorting items such as equipment, contracts in excess of \$25,000, pass-through funds, etc.) incurred under a particular grant to produce the dollar amount of indirect costs allowable to that award. 34 C.F.R. § 75.564; 34 C.F.R. § 76.569. Once the approved rate is applied, the funds that may be claimed for indirect costs have no federal accountability and may be used as if they were non-federal funds. For Direct Grants, reimbursement of indirect costs is subject to the availability of funds and statutory or administrative restrictions. 34 C.F.R. § 75.564.

Where a federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap must include all direct administrative charges as well as any recovered indirect charges.

Determining Allowability of Costs

Expenditures must be aligned with approved budgeted items. Any changes or variations from the state-approved budget and grant application need approval from the state.

When determining how grant funds will be expended, the Grant Manager will review the proposed cost to determine whether it is an allowable use of federal grant funds *before* obligating and spending those funds on the proposed good or service. All costs supported by federal education funds must meet the standards outlined in EDGAR, 2 CFR Part 3474 and 2 CFR Part 200, which are provided in the bulleted list below. The Grant Manager must consider these factors when making an allowability determination. Additional helpful questions to ask when making allowability determinations are located on page 15 of this document.

Be Necessary and Reasonable for the performance of the federal award. Staff must consider these elements when determining the reasonableness of a cost. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision to incur the cost was made. For example, reasonable means that sound business practices were followed, and purchases were comparable to market prices.

When determining reasonableness of a cost, consideration must be given to:

- ❖ Whether the cost is a type generally recognized as ordinary and necessary for the operation of the entity or the proper and efficient performance of the federal award.
- ❖ The restraints or requirements imposed by factors, such as: sound business practices; arm's-length bargaining; federal, state and other laws and regulations; and terms and conditions of the federal award.
- ❖ Market prices for comparable goods or services for the geographic area.
- ❖ Whether the individuals concerned acted with prudence in the circumstances considering their responsibilities to the entity, its employees, its students, the public at large, and the federal government.
- ❖ Whether the entity significantly deviates from its established practices and policies regarding the incurrence of costs, which may unjustifiably increase the federal award's cost. 2 C.F.R. §200.404

While 2 C.F.R. §200.404 does not provide specific descriptions of what satisfies the “necessary” element beyond its inclusion in the reasonableness analysis above, necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the entity can demonstrate that the cost addresses an existing need, and can prove it. For example, the entity may deem a language skills software program necessary for a limited English proficiency program.

When determining whether a cost is necessary, consideration may be given to:

- ❖ Whether the cost is needed for the proper and efficient performance of the grant program.
- ❖ Whether the cost is identified in the approved budget or application.
- ❖ Whether there is an educational benefit associated with the cost.
- ❖ Whether the cost aligns with identified needs based on results and findings from a needs assessment.
- ❖ Whether the cost addresses program goals and objectives and is based on program data.

Allocable to the federal award. A cost is allocable to the federal award if the goods or services involved are chargeable or assignable to the federal award in accordance with the relative benefit received. This means that the federal grant program derived a benefit in proportion to the funds charged to the program. 2 C.F.R. §200.405. For example, if 50% of a teacher's salary is paid with grant funds, then that teacher must spend at least 50% of his or her time on the grant program.

Consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the entity.

Conform to any limitations or exclusions set forth as cost principles in Part 200 or in the terms and conditions of the federal award.

Consistent treatment. A cost cannot be assigned to a federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been assigned as an indirect cost under another award.

Adequately documented. All expenditures must be properly documented.

Be determined in accordance with general accepted accounting principles (GAAP), unless provided otherwise in Part 200.

Not included as a match or cost-share, unless the specific federal program authorizes federal costs to be treated as such. Some federal program statutes require the non-federal entity to contribute a certain amount of non-federal resources to be eligible for the federal program.

Be the net of all applicable credits. The term “applicable credits” refers to those receipts or reduction of expenditures that operate to offset or reduce expense items allocable to the federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the state relate to the federal award, they shall be credited to the federal award, either as a cost reduction or a cash refund, as appropriate. 2 C.F.R. §200.406.

Purchases for goods and services paid for with grant funds shall be net of all applicable credits. To avoid the earning of “credits” where the benefits are not reimbursable or credited to the federal grant, personal reimbursements are discouraged for purchases made with federal grant funds. We will take advantage of all prompt pay discounts. All payments from federal grants shall be processed through the City’s accounting system through the invoice payment process.

Part 200’s cost guidelines must be considered when federal grant funds are expended. As provided above, federal rules require state- and local-level requirements and policies regarding expenditures to be followed as well. For example, state and/or local policies relating to travel or equipment may be narrower than the federal rules and the stricter State and/or local policies must be followed. Further, certain types of incentives are allowable under federal law, but are not allowable under State law.

Selected Items of Cost

Part 200 examines the allowability of 55 specific cost items (commonly referred to as Selected Items of Cost) at 2 C.F.R. §§ 200.420-200.475. These cost items are listed in the chart below along with the citation where it is discussed whether the item is allowable. Please do not assume that an item is allowable because it is specifically listed in the regulation as it may be unallowable despite its inclusion in the selected items of cost section. The expenditure may be

unallowable for a number of reasons, including: the express language of the regulation states the item is unallowable; the terms and conditions of the grant deem the item unallowable; or State/local restrictions dictate that the item is unallowable. The item may also be unallowable because it does not meet one of the cost principles, such as being reasonable because it is considered too expensive. If an item is unallowable for any of these reasons, federal funds cannot be used to purchase it.

Personnel responsible for spending federal grant funds and for determining allowability must be familiar with the Part 200 selected items of cost section. The entity must follow these rules when charging these specific expenditures to a federal grant. When applicable, staff must check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, local and program-specific rules may deem a cost as unallowable and personnel must follow those non-federal rules as well.

The selected item of cost addressed in Part 200 includes the following (in alphabetical order):

Item of Cost	Citation of Allowability Rule
Advertising and public relations costs	2 CFR § 200.421
Advisory councils	2 CFR § 200.422
Alcoholic beverages	2 CFR § 200.423
Alumni/ae activities	2 CFR § 200.424
Audit services	2 CFR § 200.425
Bad debts	2 CFR § 200.426
Bonding costs	2 CFR § 200.427
Collection of improper payments	2 CFR § 200.428
Commencement and convocation costs	2 CFR § 200.429
Compensation – personal services	2 CFR § 200.430
Compensation – fringe benefits	2 CFR § 200.431
Conferences	2 CFR § 200.432
Contingency provisions	2 CFR § 200.433
Contributions and donations	2 CFR § 200.434

Defense and prosecution of criminal and civil proceedings, claims, appeals and patent infringements	2 CFR § 200.435
Depreciation	2 CFR § 200.436
Employee health and welfare costs	2 CFR § 200.437
Entertainment costs	2 CFR § 200.438
Equipment and other capital expenditures	2 CFR § 200.439
Exchange rates	2 CFR § 200.440
Fines, penalties, damages and other settlements	2 CFR § 200.441
Fund raising and investment management costs	2 CFR § 200.442
Gains and losses on disposition of depreciable assets	2 CFR § 200.443
General costs of government	2 CFR § 200.444
Goods and services for personal use	2 CFR § 200.445
Idle facilities and idle capacity	2 CFR § 200.446
Insurance and indemnification	2 CFR § 200.447
Intellectual property	2 CFR § 200.448
Interest	2 CFR § 200.449
Lobbying	2 CFR § 200.450
Losses on other awards or contracts	2 CFR § 200.451
Maintenance and repair costs	2 CFR § 200.452
Materials and supplies costs, including costs of computing devices	2 CFR § 200.453
Memberships, subscriptions, and professional activity costs	2 CFR § 200.454
Organization costs	2 CFR § 200.455
Participant support costs	2 CFR § 200.456
Plant and security costs	2 CFR § 200.457
Pre-award costs	2 CFR § 200.458
Professional services costs	2 CFR § 200.459

Proposal costs	2 CFR § 200.460
Publication and printing costs	2 CFR § 200.461
Rearrangement and reconversion costs	2 CFR § 200.462
Recruiting costs	2 CFR § 200.463
Relocation costs of employees	2 CFR § 200.464
Rental costs of real property and equipment	2 CFR § 200.465
Scholarships and student aid costs	2 CFR § 200.466
Selling and marketing costs	2 CFR § 200.467
Specialized service facilities	2 CFR § 200.468
Student activity costs	2 CFR § 200.469
Taxes (including Value Added Tax)	2 CFR § 200.470
Termination costs	2 CFR § 200.471
Training and education costs	2 CFR § 200.472
Transportation costs	2 CFR § 200.473
Travel costs	2 CFR § 200.474
Trustees	2 CFR § 200.475

Likewise, it is possible for the State and/or local agency to put additional requirements on a specific item of cost. Under such circumstances, the stricter requirements must be met for a cost to be allowable. Accordingly, employees must consult federal, State and local requirements when spending federal funds. Massachusetts procurement laws are more restrictive than the federal guidelines; therefore, all purchases must follow state procurement laws.

In order for a cost to be allowable, the expenditure must also be allowable under the applicable program statute (e.g., Title I of the Elementary and Secondary Education Act (ESEA), or the Carl D. Perkins Career and Technical Education Act (Perkins)), along with accompanying program regulations, non-regulatory guidance and grant award notifications.

The State and/or local rules related to some specific cost items are discussed below:

- Furniture (including carpet) purchases require the prior approval of the School Business Manager. The following fire requirements must be met:

Carpets: must meet Class II interior finish and comply with National Fire Protection Association (NFPA) 253 and meet the state building code regulations (780 CMR 780). Carpets must meet the “pill test” and meet the Department of Commerce (DOC) FF-1 “pill test” as stated in the Code of Federal Regulations 16 CFR, Part 1630. Permanent labels must be affixed to the carpet ensuring compliance with the above stated fire requirements.

Furniture: All furniture purchases must comply with the California Technical Bulletin 133 and regulated by 527 CMR 29 (Board of Fire Protection Regulations). Permanent labels must be affixed to the furniture ensuring compliance with the above stated fire requirements.

Decorations, Curtains, Draperies, Blinds and Other Window Treatments: All purchases in this category shall meet the applicable test(s) described in NFPA 701 and regulated by 527 CMR 21 (Board of Fire Protection Regulations).

- Professional development (workshops, conferences and consultants) require prior approval by the Assistant Superintendent. All professional development must be in line with the planned district-wide professional development.

Employees must be aware of these State and local rules and ensure they are complying with these requirements.

Frequent Types of Costs

Travel: Travel costs are the expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business of a grant recipient. Such costs may be charged on an actual cost basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip and not selected days of the trip, and results in charges consistent with those normally allowed in like circumstances in the recipient’s non-federally funded activities and in accordance with the recipient’s written travel reimbursement policies. 2 C.F.R §200.474(a).

Costs incurred by employees and officers for travel, including costs of lodging, other subsistence, and incidental expenses, must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the entity in its regular operations as the result of its written travel policy. In addition, if these costs are charged directly to the federal award, documentation must be maintained that justifies that (1) participation of the individual is necessary to the federal award; and (2) the costs are reasonable and consistent with the established policy. 2 C.F.R §200.474(b).

In addition to the federal guidelines regarding travel, employees and officers must adhere to the travel policy. The travel policy covers single day travel, overnight travel, and out-of-state travel. The policy can be found in the Finance and Operations Procedure Manual and in Appendix C.

Helpful Questions for Determining Whether a Cost is Allowable

In addition to the cost principles and standards described above, the School Business Manager, Grants Manager and Grant Coordinators can refer to this section for a useful framework when

performing an allowability analysis. In order to determine whether federal funds may be used to purchase a specific cost, it is helpful to ask the following questions:

- Is the proposed cost allowable under the relevant program?
- Is the proposed cost consistent with an approved program plan and budget?
- Is the proposed cost consistent with program specific fiscal rules?
- For example, the entity may be required to use federal funds only to supplement the amount of funds available from nonfederal (and possibly other federal) sources.
- Is the proposed cost consistent with EDGAR?
- Is the proposed cost consistent with specific conditions imposed on the grant (if applicable)?

As a practical matter, the Grants Manager and the Grant Coordinator should also consider whether the proposed cost is consistent with the underlying needs of the program. For example, program funds must benefit the appropriate population of students for which they are allocated. This means that, for instance, funds allocated under Title III of the Elementary and Secondary Education Act (ESEA) governing language instruction programs for limited English proficient (LEP) students must only be spent on LEP students and cannot be used to benefit non-LEP students. Further, under most major elementary and secondary education programs, recipients may use federal funds only to supplement the amount of funds available from nonfederal sources for the education of students participating in the program. The recipients cannot use federal funds to supplant nonfederal funds that would otherwise have been used for the expenditure in question.

Also, funds should be targeted to address areas of weakness, as necessary. To make this determination, Grant Coordinators should review data when making purchases to ensure that federal funds meet these areas of concern.

F. Federal Cash Management Policy/Procedures

The District will comply with applicable methods and procedures for payment that minimize the time elapsing between the transfer of funds and disbursement by the grant recipient, in accordance with the Cash Management Improvement Act at 31 CFR Part 205. Generally, payments are received from the Massachusetts Department of Revenue, Massachusetts Department of Elementary and Secondary Education, the Massachusetts Department of Public Health, and the Massachusetts Department of Early Education and Care on a reimbursement basis. 2 CFR § 200.305. However, if an advance in federal grant funds is received, interest earned on the advanced payment will be remitted quarterly to the federal agency. The grant recipient may retain interest amounts up to \$500 per year for administrative expenses. 2 CFR § 200.305(b) (9).

According to guidance from the U.S. Department of Education (ED), when calculating the interest earned on ED grant funds, regardless of the date of obligation, interest is calculated from the date that the federal funds are drawn down from the G5 system until the date on which those funds are disbursed by the LEA.

Interest would not accrue if the LEA uses nonfederal funds to pay the vendor and/or employees prior to the funds being drawn down from the G5 system, commonly known as a reimbursement.

Payment Methods

Reimbursements: The Grants Manager will request reimbursement for actual expenditures incurred under the federal grants on a monthly basis. Starting around the 19th of each month, the Grants Manager will generate current Munis year-to-date budget reports for all grants. Once revenues and expenditures are reviewed, the Grants Manager will log into the Massachusetts Department of Elementary and Secondary Education (MA DESE) grant management system (<https://edgrants.eoe.mass.edu/grantium/frontOffice.jsf>) to request funds. Attached to all draw down requests is the current Munis year-to-date budget report which serves as the supporting documentation. All reimbursements are based on actual disbursements, not on obligations. In addition, cash requests do not include the amounts paid by MA DESE to the Massachusetts Teachers' Retirement Board (MTRB).

The Massachusetts Department of Elementary and Secondary Education (MA DESE) will process reimbursement requests in a timely manner. Consistent with state and federal requirements, we will maintain source documentation supporting the federal expenditures (invoices, time sheets, payroll stubs, etc.) and will make such documentation available for the MA DESE review upon request. Reimbursements of actual expenditures do not require interest calculations.

Advances: To the extent that we receive advance payments of federal grant funds, we will strive to expend the federal funds on allowable expenditures as expeditiously as possible. Specifically, we attempt to expend all drawn downs of federal funds within 72 hours of receipt.

Federal advance payments will be held in interest-bearing accounts, unless an allowable exception applies. We will begin to calculate interest earned on cash balances once funds are deposited into our bank account.

Interest will be calculated quarterly, based on the sample calculation methodology listed below. Total federal grant cash balances will be calculated on cash balances per grant and applying the actual interest rate. We will remit interest earned (annually) to the appropriate entity. A grant recipient may retain up to \$500 of interest earned per year.

Sample Calculation Methodology – Federal Interest

Total of all federal daily balances in reporting period (e.g. January 1 – January 31) = \$50,000

Step 1: Calculate the Average Daily Balance

1. Divide the total of advances (all federal funds) in reporting period by the number of days in reporting period.
2. Total of all daily balances in the reporting Period = \$50,000.
3. Actual number of days in the reporting period (month) = 31
4. Average daily balance = \$1,612.90

Step 2: Calculate the Annual Interest Amount

1. Multiply the average daily balance by the actual interest rate
2. Average daily balance = \$1,621.90

3. Actual interest rate = 1.045%
4. Annual interest amount = \$16.95

Step 3: Calculate the Daily Interest Amount

1. Divide interest amount by number of days in year.
2. Annual interest amount = \$16.95
3. Number of days in year = 365
4. Daily interest amount = \$0.0464

Step 4: Calculate the Total Federal Interest Due

1. Multiply the daily interest amount by number of days in reporting period
2. Daily interest amount = \$0.0464
3. Number of days in reporting period = 92
4. Total federal interest due = \$1.18

G. Timely Obligation of Funds

When Obligations are Made

Obligations are orders placed for property and services, contracts and subawards made, and similar transactions during a given period that require payment by the non-Federal entity during the same or a future period. 34 C.F.R. § 200.71

The following table illustrates when funds are determined to be obligated under federal regulations:

If the obligation is for:	The obligation is made:
Acquisition of property	On the date which the entity makes a binding written commitment to acquire the property
Personal services by an employee of the entity	When the services are performed
Personal services by a contractor who is not an employee of the entity	On the date which the entity makes a binding written commitment to obtain the services
Public utility services	When the entity receives the services
Travel	When the travel is taken
Rental of property	When the entity uses the property
A pre-agreement cost that was properly approved by the Secretary under the cost	On the first day of the project period.

principles in 2 CFR part 200, Subpart E- Cost Principles.	
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34 C.F.R. § 75.707; 34 C.F.R. § 76.707.

Period of Performance of Federal Funds

All obligations must occur on or between the beginning and ending dates of the grant project. 2 C.F.R. § 200.309. This period of time is known as the period of performance. 2 C.F.R. § 200.77. The period of performance is dictated by statute and will be indicated in the GAN. Further, certain grants have specific requirements for carryover funds that must be adhered to.

State-Administered Grants: As a general rule, state-administered federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many federal education grants, the period of availability is 27 months. Federal education grant funds are typically awarded on July 1 of each year. While we will always plan to spend all current grant funds within the year the grant was appropriated for, the period of obligation for any grant that is covered by the “Tydings Amendment” is 27 months, extending from July 1 of the fiscal year for which the funds were appropriated through September 30 of the second following fiscal year. This maximum period includes a 15-month period of initial availability, plus a 12-month period for carryover. 34 C.F.R. § 76.709. For example, funds awarded on July 1, 2015 would remain available for obligation through September 30, 2017.

Direct Grants: In general, the period of availability for funds authorized under direct grants is identified in the GAN.

For both state-administered and direct grants, regardless of the period of availability, the entity must liquidate all obligations incurred under the award not later than 90 days after the end of the funding period unless an extension is authorized. 2 C.F.R. § 200.343(b). Any funds not obligated within the period of availability or liquidated within the appropriate timeframe are said to lapse and must be returned to the awarding agency. 2 C.F.R. § 200.343(d). Consequently, we closely monitors grant spending throughout the grant cycle.

Carryover

State-Administered Grants: As described above, the Tydings Amendment extends the period of availability for applicable state-administered program funds. Essentially, it permits recipients to “carryover” any funds left over at the end of the initial 15 month period into the next year. These leftover funds are typically referred to as carryover funds and continue to be available for obligation for an additional 12 months. 34 C.F.R. § 76.709. Accordingly, the grant recipient may have multiple years of grant funds available under the same program at the same time.

Direct Grants: Grantees receiving direct grants are not covered by the 12 month Tydings period. However, under 2 C.F.R. § 200.308, direct grantees enjoy unique authority to expand the period

of availability of federal funds. The grantee is authorized to extend a direct grant automatically for one 12-month period. Prior approval is not required in these circumstances; however, in order to obtain this extension, the grantee must provide written notice to the federal awarding agency at least 10 calendar days before the end of the period of performance specified in the award. This one-time extension may not be exercised merely for the purpose of using unobligated balances.

If a surplus is anticipated due to unmet program objectives, the Grants Manager will notify the awarding authorities Project Manager and understand the steps, justification and timeline needed to request an extension of the grant. The Grants Manager and Grant Coordinator will provide the following information:

1. The grant objectives that were not met and the financial implications;
2. Explanation of why the objectives were not met;
3. Financial and / or personnel impacts if an extension is granted;
4. Revised period of performance; and
5. Steps, justification and timeline needed to complete the extension request.

The Grants Manager will then complete the steps necessary to seek an extension.

We will seek prior approval from the federal agency when the extension will not be contrary to federal statute, regulation or grant conditions and:

- The terms and conditions of the Federal award prohibit the extension;
- The extension requires additional Federal funds; or
- The extension involves any change in the approved objectives or scope of the project. 2 C.F.R. § 200.308(d) (2).

H. Program Income

Definition

Program income means gross income earned by a grant recipient that is directly generated by a supported activity or earned as a result of the federal award during the grant's period of performance. 2 C.F.R. § 200.80.

Program income includes, but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federal awards, the sale of commodities or items fabricated under a federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with federal award funds. Interest earned on advances of federal funds is not program income. Except as otherwise provided in federal statutes, regulations, or the terms and conditions of the federal award, program income does not include rebates, credits, discounts, and interest earned on any of them. 2 C.F.R. § 200.80. Additionally, taxes, special assessments, levies, fines, and other such revenues raised by a recipient are not program income unless the revenues are specifically identified in the federal award or federal awarding agency regulations as program income. Finally, proceeds from the sale of real property, equipment, or supplies are not program income. 2 C.F.R. § 200.307.

Use of Program Income

The default method for the use of program income is the deduction method: 2 C.F.R. § 200.307(e). Under the deduction method, program income is deducted from total allowable costs to determine the net allowable costs. Program income will only be used for current costs unless otherwise directed by the federal awarding agency or pass-through entity. 2 C.F.R. § 200.307(e) (1). The LEA may also request prior approval from the federal awarding agency to use the addition method. Under the addition method, program income may be added to the Federal award by the Federal agency and the non-Federal entity. The program income must then be used for the purposes and under the conditions of the Federal award. 2 C.F.R. § 200.307(e) (2).

While the deduction method is the default method, we always refer to the GAN prior to determining the appropriate use of program income.

II. Procurement System

The District maintains the following purchasing procedures that are in compliance with state (MGL Chapter 30B, Chapter 149 and Chapter 30 Section 39M), local, and federal laws and regulations under 2 CFR 200.317-327.

The purchasing procedures are as follows:

A. Responsibility for Purchasing

The School Business Manager oversees purchasing for the District in conjunction with the City's Purchasing Agent. The Purchasing Agent maintains final authority to review and approve all purchases. All requests to purchase goods or services are required to be initiated through the Munis financial system.

The School Business Manager provides appropriate access (security) to Munis. Requisitions are entered by an approved Munis user. Once entered, requisitions are approved by the School Business Manager. Once released, requisitions are routed to the Purchasing Agent. Approved requisitions are processed into Purchase Orders and routed to the Grants Bookkeeper for distribution to vendors and Grant Coordinators.

On an annual basis, the School Business Manager reviews the list of authorized Munis users. Additions to and deletions from the list are made as employees are hired and / or terminated. All Munis users are set up with budgetary controls in place that prevent a user from processing a requisition in excess of the budgeted amounts.

B. Purchase Methods

The type of purchase procedures required depends on the cost of the item(s) being purchased. In addition to these rules, subrecipients must also follow both state and local procurement rules. State and local procurement rules are often stricter than federal requirements. However, State procurement rules often contain exemptions for certain procurements that are not consistent with federal requirements. The stricter of the State and local or federal are followed.

Purchases up to \$10,000 (Sound Business Practices) (State and Federal)

Procurement of supplies and services under \$10,000 are governed by Massachusetts General Law, Chapter 30B. The procurement procedure for purchasing supplies and services under \$10,000 require sound business practices. This is defined as ensuring the receipt of favorable

prices by periodically soliciting price lists or quotes. No formal advertising is required. The contract is awarded to the vendor offering the best price. Software licenses can only be purchased for one-year at a time. A written contract is not required. A certificate of liability insurance is required for all contracts listing the entity as additionally insured. Please contact the Finance Department for the insured amounts. A contract cannot exceed three years unless a longer contract period is authorized. As a result of the Municipal Modernization Act, building construction procurements under \$50,000 may also be made using a State Contract procured by OSD, or a Blanket Contract procured by the District.

COMMBUYS – As a result of the Municipal Modernization Act, the Commonwealth's Operation Services Division (OSD) procures and awards a number of statewide contracts that are available to municipalities for construction projects under \$50,000. Departments who wish to procure an item or services from an OSD contract may request to be identified as a user on COMMBUYS, OSD's purchasing portal. Once approved, the COMMBUYS user will have full access to all COMMBUYS contracts and will have the ability to purchase directly through the COMMBUYS portal.

COMMBUYS users will be expected to read the Contract User Guide for the purchase they are attempting to make, and shall comply with all terms of use for said contract. Remember that not all contractors listed on COMMBUYS are included on a State Contract. All purchases in COMMBUYS will be subject to confirmation by the CPO prior to approval in the Town's accounting system.

Go to www.commbuys.com to access contract information, training resources, and buyer information

Purchases and Construction between \$10,001 and \$50,000 (Solicit Quotes) (For State MGL30B goods and services procurement exemptions threshold will be \$10,000-\$250,000)

Procurement of supplies and services between \$10,000 and \$50,000 are governed by Massachusetts General Law, Chapter 30B. The procurement procedure for purchasing supplies and services between \$10,000 and \$50,000 requires soliciting three written responses from persons who customarily perform such work. We recommend a written description / terms be provided to all vendors to ensure an 'apples to apples' comparison of prices. A notice is required at least two weeks before response are due on 1) the City's website; 2) COMMBUYS; 3) in the Central Register; 4) in a conspicuous place. The contract is awarded to the responsible and responsive person offering the best price. A responsible vendor is defined as a person who has the capability to perform fully the contract requirements, and the integrity and reliability which assures good faith performance. A responsive bidder is defined as a person who has submitted a bid or proposal which conforms in all respects to the invitation for bids or requests for proposals. A written contract is required. A certificate of liability insurance is required for all contracts listing the entity as additionally insured. Please contact the Finance Department for the insured amounts. A contract cannot exceed three years unless a longer contract period is authorized.

Procurement of building construction contracts estimated to cost between \$10,000 and \$50,000 requires the solicitation of at least three (3) written quotes from potential contractors. Quote requests must be in written form and well-communicated to each potential vendor. Documentation of quotes solicited must be included in the requisition process.

Procurements made under this section are required to have a notice posted on the District website, in COMMBUYS and in the Central Register unless procured through the use of Blanket Contracts of which the District is eligible to participate. In this case, labor costs on projects of up to \$50,000 may be procured using a Blanket Contract with the solicitation of quotes using a detailed Scope of Services.

In addition, payment bonds in the amount of 50% of the contract price are required for all contracts over \$25,000. OSHA training and Prevailing Wages are also required.

Prevailing Wages

The Massachusetts Prevailing Wage Law, and the Davis-Bacon Act, which is the federal prevailing wage law, applies to building and construction activity on public work construction contracts. These two laws require that workers be paid a minimum hourly rate set according to each government agency's assessment of an average wage rate or a predominant wage rate in the local area of the contract work.

Mass DOS determines the "Prevailing Wage Rates" for each public construction contract prior to the beginning of that contract's Bid Process.

U.S. DOL determines its prevailing wage rates for public construction contracts being bid and calls its prevailing wage rate standards "Wage Determinations." U.S. DOL develops federal Wage Determinations for the entire Commonwealth of Massachusetts in documents which contain wage rate breakdowns by work classification, and by Massachusetts county and/or city.

The Davis-Bacon and Related Acts apply to contractors and subcontractors performing on federally funded or federally assisted contracts in excess of \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Davis-Bacon Act and Related Act contractors and subcontractors must pay their laborers and mechanics employed under the contract no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area.

The Davis-Bacon Act applies to contractors and subcontractors performing work on federal or partial funded contracts. The Davis-Bacon Act prevailing wage provisions apply to the "Related Acts," under which construction projects are funded through grants, loans, loan guarantees, and insurance.

If the contract is fully or partially federally funded, the General Contractor and subcontractors must comply with both the Massachusetts and the federal Davis Bacon Act prevailing wage rates.

Therefore, municipalities must pay workers at least a minimum of the higher of the Massachusetts or federal wage rates for each work classification. Some work classifications could be paid based on higher federal wage rates while other work classifications could be paid based on higher Massachusetts wage rates, on the same contract.

Purchases over \$50,000 (Sealed Bids or Proposals) (For State MGL30B procurement exemptions threshold will be greater than \$250,000)

Sealed Bids (Formal Advertising): For purchases over \$50,000, bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. If a Request for Proposal is issued, the most advantageous proposal from a responsible and responsive proposer taking into consideration price and no-price proposals. The sealed bid method is the preferred method for procuring construction, if the following conditions apply:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible bidders are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publically advertised;
- The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
- All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
- A firm fixed price contract award must be made in writing to the lowest responsive and responsible bidder.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

Advertising is required once in a newspaper of general circulation, on the local web site, in the Central Register, and on COMMBUYS, at least two weeks before bids or proposals are due. If \$100,000 or more, advertise once at least two weeks before bids or proposals are due in the *Goods and Service Bulletin* maintained by the Massachusetts Secretary of State's Office.

Competitive Proposals: The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
- Proposals must be solicited from an adequate number of qualified sources; and
- Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

We may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Massachusetts General Law, Chapter 30B has additional requirements regarding Requests for Proposals (RFP). Below are the RFP requirements:

1. The procurement office shall determine in writing that the selection of the most advantageous offer requires comparative judgement of factors in addition to price.
2. Bidders must submit separate price and non-price proposals.
3. Comparative criteria reflect those factors for which we would be willing to pay more money, and are used to further evaluate the relative merits of all proposals that meet the quality requirements.
4. Quality requirements establish standards of acceptability for the supplies and services you are purchasing.
5. Comparative criteria rating factors include: highly advantageous, advantageous, not advantageous, and unacceptable.

(Information copied from the Massachusetts Inspector General's Office, Chapter 30B training materials).

In addition, all Invitation for Bid (IFB) and Request for Proposal (RFP) require vendors submitting bids to sign and submit a non-collusion and tax compliance forms.

Contract/Price Analysis: A cost or price analysis is conducted in connection with every procurement action in excess of the Simplified Acquisition Threshold (\$150,000), including contract modifications. 2 C.F.R. § 200.323(a). A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, we must come to an independent estimate prior to receiving bids or proposals. 2 C.F.R. § 200.323(a).

When performing a cost analysis, the Accountant or grant manager negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. 2 C.F.R. § 200.323(b).

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

- The item is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

- The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the grantee; or
- After solicitation of a number of sources, competition is determined inadequate.

Under M.G.L. Chapter 30B, a sole source procurement of any supply or service under \$50,000 is allowable when a reasonable investigation shows that there is only one practicable source for the required supply or service.

Sole source contracts in excess of \$50,000 are only allowable for the following purchases:

1. Software maintenance, library books, school textbooks and educational materials; and
2. Utilities.

All sole source procurements must include a memo that details the basis for determining that there was only one practicable source for the purchase. The memo should be attached to a requisition request and sent to the Grants Bookkeeper and School Business Manager. Once issued, the purchase order will provide the contractor's name, amount of the contract, and a listing of supplies or services procured. The School Business Manager will ensure each sole source contract is appropriate and properly documented.

C. Purchase Cards

On occasion, a company will issue a purchase card. We currently have purchase cards for Market Basket. The list of users is maintained by the School Business Office. The list is reviewed annually with the School Business Manager. On an annual basis, each card user is issued a letter with the guidelines for use of the card:

- Cards must be used in connection with a pre-approved purchase order;
- Purchases must be for use by the entity; personal use will result in the loss of use of the card;
- All orders must be completed by June 1st of each year; and

Request for the use and/or addition of a purchase card is at the discretion of the School Business Manager.

D. Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 C.F.R §200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- Placing unreasonable requirements on firms in order for them to qualify to do business;
- Requiring unnecessary experience and excessive bonding;
- Noncompetitive pricing practices between firms or between affiliated companies;
- Noncompetitive contracts to consultants that are on retainer contracts;
- Organizational conflicts of interest;
- Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and

- Any arbitrary action in the procurement process.

EDGAR further requires the following to ensure adequate competition.

Bid Splitting

Splitting purchases over several days, weeks, or months is considered “bid-splitting” when the appearance is that this is being done to avoid meeting thresholds which require a more complex procurement. Certain unexpected small expenses sometimes make good business sense and are not problematic. However, to purposely purchase items over time and under the procurement thresholds is illegal.

Geographical Preferences Prohibited

Procurement must be conducted in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

Prequalified Lists

The grantee must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, we must not preclude potential bidders from qualifying during the solicitation period.

Solicitation Language

The grantee must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals. 2 C.F.R § 200.319(c).

Receiving and Evaluating Responses

Unless permission is otherwise granted prior to solicitation, all quotations, bids, and proposals are to be sent to/collected at the address of the Chief Procurement Officer and will be opened in the Procurement Office.

For an IFB, the CPO will receive all bids, and at the time of the bid opening will open, read aloud, and prepare a bid tabulation sheet with the results. The CPO will consider each bidder's responsiveness to the basic requirement. Immediately following CPO review, the Department Head will receive the bids for evaluation.

For an RFP, the CPO is authorized to create an evaluation committee that has the expertise and ability to evaluate, rank, and recommend an award. The CPO will receive all proposals, and at the time of opening will open and prepare a register of proposals. Price proposals will remain unopened at this time. The CPO will then provide the proposals to members of the evaluation committee, including the Department Head. Once the evaluation committee reaches a decision, the CPO will open the price proposals.

The district will document in the contract file the specific methods used in evaluating the procurement and selecting the contractor. The district will use the guidance from the Massachusetts Office of Inspector General in preparing the evaluation methodology.

E. Federal Procurement System Standards

All contracts in excess of \$10,000 must address termination for cause and for convenience by the grantee including the manner by which it will be effected and the basis for settlement.

Procurement of Recovered Materials

The grantee establishes an affirmative procurement program to incorporate the use of recovered materials identified in the EPA guidelines, when possible.

Avoiding Acquisition of Unnecessary or Duplicative Items

The grantee must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration is given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis must be made of leases versus purchase alternatives, and another other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds. Please see page 9 for written procedures on determining allowability.

Use of Intergovernmental Agreements

To foster greater economy and efficiency, the grantee enters into state and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

Use of Federal Excess and Surplus Property

The grantee considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Value Engineering Clauses for Construction Projects

“Value engineering” identifies and reduces nonessential procurement costs. Value engineering enables contractors to change the plans, designs, and specifications for projects to lower their costs for goods and services and maintain necessary quality levels.

Responsible Contractors

The district will only award contracts to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also [2 CFR 200.214 - Suspension and debarment. \(govregs.com\)](#) (MGL c 30b, MGL c 149)

Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms under 2 CFR 200.321

The district will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Take all necessary affirmative steps to assure the use of minority businesses, women- owned business enterprises and labor-surplus area firms. See 2 CFR 200.321(b) for what “affirmative steps” must include. Sub-recipients should maintain a list of such firms and can use the [Supplier Diversity Office \(SDO\) | Mass.gov](#) for assistance in complying.

Debarment and Suspension

The grantee awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The grantee may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000, we verify that the vendor with whom we intend to do business with is not excluded or disqualified. 2 C.F.R. Part 200, Appendix II (1) and 2 C.F.R. §§ 180.220 and 180.300.

Two methods are utilized to determine if a potential vendor has been suspended or disbarred. Prior to approving a requisition for contracted services in excess of \$25,000 funded by a Federal grant, the School Business Manager will check Sam.gov and will require the vendor to sign an affidavit.

Domestic Preferences for Procurements (relates to construction) 2 CFR 200.322

(1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

Maintenance of Procurement Records

The grantee must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

See page 37 for more information on record policies.

Time and Materials Contracts

The grantee may use a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost is the sum of: the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, a high degree of oversight must be asserted in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Piggyback Contracts

Piggybacks are generally ineligible. However, work done using another sub-recipient's pre-existing, properly procured contract must meet strict criteria to be eligible. The existing contract must be viable (i.e., the same item must be purchased, price and vendor must be the same, and must include written mutual consent of the original contracting parties) Adopting a pre-existing contract solicited and awarded by another entity is referred to as 'piggy-backing'. These contracts should be avoided as they may not contain all required clauses, are improper in scope, or are not procured in compliance with the federal procurement standards

Settlements of Issues Arising Out of Procurements

The grantee alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve us of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

Protest Procedures to Resolve Dispute

The entity maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Contract disputes arise from a belief the procurement process was not conducted properly. A vendor has three options to seek a remedy:

1. Contact the local jurisdiction;
2. Contact the state agency in charge of enforcing the law (i.e. Inspector General's Office for Chapter 30B contracts); and/or
3. Superior Court.

If a vendor contacts the District with a complaint regarding the procurement or award of contract, the complaint should be forwarded to the School Business Manager. The School Business Manager and City's Purchasing Agent will offer to meet with the vendor. The meeting should seek all information as to the complaint of the vendor. Once the meeting has concluded and the concerns reviewed, the Purchasing Agent will issue a report given the recommendations of the School Business Manager. If there is a potential error in the way the procurement was conducted, or advice is sought on correcting the error, the Purchasing Agent will ask the advice of the applicable state agency. If the vendor files a complaint in Superior Court, we will seek the advice of legal counsel.

F. Conflict of Interest Requirements

Standards of Conduct

In accordance with 2 C.F.R. §200.18(c)(1), the following standards of conduct are maintained covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

The officers, employees, and agents of the grantee may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. Massachusetts General Law, Chapter 268A, governs the state's conflict of interest law. There are three main provisions of the law:

- Public employees are prohibited from seeking or accepting anything of substantial value for or because of their official acts or any act within their official responsibilities.
- Public employees are prohibited from using or attempting to use their position to obtain for themselves or others unwarranted privileges of substantial value that are not properly available to similarly situated individuals.
- The conflict of interest law will require public employees to disclose to their appointing authority the gift and their relationship to the giver.

The Massachusetts State Ethics Commission interprets the conflict of interest law and publishes advisories. The Ethics Commission interprets substantial value to mean anything with a value of \$50 or more. Gifts less than \$50 that may have an appearance of a conflict of interest should be disclosed. Disclosures should be made in writing and given to their appointing authority.

Massachusetts defines "immediate family" as spouse, parent, brother, sister, child or a spouse of your parent, brother, sister, or child. The financial disclosure law which, like the conflict of interest law, is interpreted and enforced civilly by the State Ethics Commission. Chapter 268B, of the Massachusetts General Law, is the financial disclosure law. This statute requires public officials, political candidates and certain public employees to disclose their and their immediate

family member's private business associations and other financial interests on their Statements of Financial Interests or SFIs. The law covers all elected state and county officials and candidates for these positions as well as all state and county employees who are designated as holding major policymaking positions.

Every municipal employee (with few exceptions) must complete the Ethic Commission's online training program once every two years. New employees must complete the online training program within 30 days of becoming such an employee, and once every two years thereafter.

Organizational Conflicts

The District will comply with Massachusetts General Law, Chapter 268A conflict of interest law and disclosure. Additionally, the entity may not be operated for the benefit of an affiliated or unaffiliated organization or an individual in his or her own private capacity or individuals related to any employee or members of its management, unless the private benefit is considered merely incidental. The private benefit preclusion will extend to the following:

- The sale, exchange or leasing of property between the entity and an affiliated or unaffiliated organization or a private or related individual.
- Lending money or other extension of credit between an agency and an affiliated or unaffiliated organization or a private or related individual.
- Furnishing of goods, services, or facilities between the entity and an affiliated or unaffiliated organization or a private or related individual except for the rental of facilities as specified in our policy manual.
- Payment of compensation, unless authorized, by the entity to an affiliated or unaffiliated organization or a private or related individual.
- The transfer to, use by or for the benefit of a private or related individual of the income of assets of the entity unless specifically voted by the entity.
- Thus, we will be guided by the principle of arms-length standards with all affiliated or unaffiliated organizations or with a private or related individual(s). Related party transactions shall include transactions between an entity and members of the legislative body, administration, employees, related individuals and affiliated companies. Related individuals within the scope of this definition include spouses, parents, children, spouses of children, grandchildren, siblings, fathers-in-law, mothers-in-law sisters-in-law and brothers-in-law of an employee.

Disciplinary Actions

All associated entities must comply with our policies and procedures.

Mandatory Disclosure

Upon discovery of any potential conflict, we will disclose in writing the potential conflict to the federal awarding agency in accordance with applicable federal awarding agency policy.

G. Contract Administration

The District maintains the following oversights to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Please see the Property Management section.

The contract manager varies based on the type of contract. For example, facility related contracts are overseen by the Director of Facilities. When a contract does not clearly fall within a

department, the SBA will act as the contract manager. The contract manager is responsible for the following:

1. Coordinate communications with the vendor;
2. Evaluate the qualifications of contract personnel for compliance with contract requirements;
3. Determine acceptability of reports and deliverables produced by the contractor;
4. Approve or reject contractor payment requests; and
5. Ensure the contract amendments are in writing and approved by the School Business Manager and City's Purchasing Agent.

The School Business Office maintains all contract files.

III. Property Management Systems

A. Property Classifications

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by us for financial statement purposes, or \$5,000. 2 C.F.R. §200.33.

Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by us for financial statement purposes or \$5,000, regardless of the length of its useful life. 2 C.F.R. §200.94.

Computing devices means machines used to acquire, store, analyze, process, and publish data and other information electronically, including accessories (or "peripherals") for printing, transmitting and receiving, or storing electronic information. 2 C.F.R. §200.20.

Capital assets means tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:

- Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, lease-purchase, exchange, or through capital leases; and
- Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance). 2 C.F.R. §200.12.

B. Inventory Procedure

Inventory will be maintained on all information technology hardware and software; textbooks; and fixed assets. The school/department placing an order will add the appropriate ship to address. At the time of receipt, the package is inspected to ensure the ordered materials were received in good order and the items mirror the order placed through the purchase order system. Items are inventoried at the time they are unpacked. Inventory records are inputted by a member of the technology staff (hardware and software), director/department head (textbooks) and the accounting office (fixed assets).

All technology hardware is tagged. The tags include an asset number and related barcode. The technology department is responsible for configuring all computers, laptops, netbooks, and iPads.

C. Inventory Records

For each equipment and computing device purchased with federal funds, the following information is maintained by the Grants Manager:

- Date of purchase;
- Purchase order number;
- Serial number or other identification number;
- Source of funding for the property;
- Who holds title;
- Acquisition date and cost of the property;
- Percentage of federal participation in the project costs for the federal award under which the property was acquired;
- Location, use and condition of the property; and
- Any ultimate disposition data including the date of disposal and sale price of the property.

On an annual basis, the Grants Manager will review the inventory list and note changes. Changes to the inventory based on property being sold, lost, stolen or broken will be noted. If the item was stolen, a copy of the police report should be included in the file. The updated inventory spreadsheet should be printed annually and provided to the School Business Manager.

D. Physical Inventory

A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years. Prior to the start of the year in odd numbered years, a physical inventory will be conducted. If there is a discrepancy between the previous physical inventory and the current inventory, a report detailing the discrepancies will be provided to the School Business Office.

E. Maintenance

In accordance with 2 C.F.R.313 (d) (4), the District maintains adequate maintenance procedures to ensure that property is kept in good condition. Employees who are issued a device(s) are responsible for maintaining and securing the equipment. When a device is not working properly. The employee will submit a help desk ticket. A member of the technology staff will work with the employee to identify and repair the computer as quickly as possible. A loaner computer is available for faculty upon request.

F. Lost or Stolen Items

The District maintains a control system that ensures adequate safeguards are in place to prevent loss, damage, or theft of the property. Employees issued computer devices are responsible for abiding by the Acceptable Use Policy (AUP) signed at the time of hire. The AUP is available in Appendix D. As previously stated, all hardware is inventoried and marked as property of the entity. Employees are required to file a police report when equipment is determined to be missing. A copy of the report must be provided to the Director of Technology within 24 hours of

filing the police report. In the next physical inventory the item is listed as missing with the date of the police report. If the item continues to be missing on the second inventory, the item is removed from the list.

G. Use of Equipment

Equipment must be used in the program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the federal award, and we will not encumber the property without prior approval of the federal awarding agency and the pass-through entity.

During the time equipment is used on the project or program for which it was acquired, the equipment will also be made available for use on other projects or programs currently or previously supported by the federal government, provided that such use will not interfere with the work on the projects or program for which it was originally acquired. First preference for other use must be given to other programs or projects supported by the federal awarding agency that financed the equipment. Second preference is given to programs or projects under federal awards from other federal awarding agencies. Use for non-federally funded programs or projects is also permissible.

When no longer needed for the original program or project, the equipment may be used in other activities supported by the federal awarding agency, in the following order of priority: (1) activities under a federal award from the federal awarding agency which funded the original program or project; then (2) activities under federal awards from other federal awarding agencies.

H. Disposal of Equipment

When it is determined that original or replacement equipment acquired under a federal award is no longer needed for the original project or program or for other activities currently or previously supported by a federal awarding agency, the Grants Manager will contact the awarding agency (or pass-through for a state-administered grant) for disposition instructions. Generally, disposition of equipment is dependent on its fair market value (FMV) at the time of disposition. If the item has a current FMV of \$5,000 or less, it may be retained, sold, or otherwise disposed of with no further obligation to the federal awarding agency. If the item has a current FMV of more than \$5,000, the federal awarding agency is entitled to the federal share of the current market value or sales proceeds.

If acquiring replacement equipment, the equipment may be used as a trade-in or sell the property and use the proceeds to offset the cost of the replacement property. Please refer to our Financial Policy and Procedure Manual for further guidance on disposal of surplus property. Surplus property is offered to other departments. Items that remain, and have a potential value, are auctioned through an online auction site.

IV. Written Compensation Policies

A. Time and Effort

Time and Effort Standards

All employees who are paid in full or in part with federal funds must keep specific documents to demonstrate the amount of time they spent on grant activities. This includes an employee whose salary is paid with state or local funds but is used to meet a required “match” in a federal program. These documents, known as time and effort records, are maintained in order to charge the costs of personnel compensation to federal grants.

Charges to federal awards for salaries and wages must be based on records that accurately reflect the work performed. These records must:

- Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated;
- Be incorporated into official records;
- Reasonably reflect total activity for which the employee is compensated, not exceeding 100% of compensated activities;
- Encompass both federally assisted and all other activities compensated by the entity on an integrated basis;
- Comply with the established accounting policies and practices of the entity and
- Support the distribution of the employee’s salary or wages among specific activities or costs objectives.

Time and Effort Procedures

All employees, including teachers, paraprofessionals, and other staff members paid with federal funds must document their time and effort within that program. Time and effort represents the amount of work or portion of time spent, including summer and after school hours, expressed as a percentage of total time, on all activities performed within the scope of an individual’s employment.

If salary and benefits are charged directly to a single federal award or to a single cost objective, time and effort may be reported semi-annually, referred to in the federal regulations as “Semi-Annual Certification.” Time and effort certification reports are calculated and distributed by the Grants Manager to all employees whose compensation is funded by a federal grant. The reports must be signed and dated by the employee and returned to the Grants Office to be kept on file.

The time and effort certification report includes:

1. Employer’s name;
2. Employee’s name;
3. Federal program account number;
4. Reporting period;
5. 100% of work activities; and
6. Employee’s signature.

Reconciliation and Closeout Procedures

It is critical for payroll charges to match the actual distribution of time recorded on the monthly certification documents. Budget estimates or other distribution percentages determined before the services are performed do not qualify as support for charges to federal awards, but may be

used for interim accounting purposes provided that the system for establishing the estimates produces reasonable approximations of the activity actually performed.

Program administrators are responsible for notifying grants accounting staff and the Assistant Superintendent for Business and Finance without delay if an employee supported by federal funds is changing work roles or is otherwise not anticipated to fulfill work activity that corresponds with the percentage budgeted through federal funds. Staff may only be charged to a federal grant in an amount that equals or is lower to the amount of time spent on federal funds.

The Grants Manager is responsible for reviewing all time and effort reporting forms from staff supported through federal grant funds twice a year as the signed forms are received. If the budgeted percentage for the six month period is higher than the corresponding work activity, the grants accounting staff will notify the School Business Manager. If the employee's work activity on the federal grant is less than a ten percent difference from the budgeted amount and is expected to increase and meet or exceed the budgeted amount in the subsequent six month period, the funded percentage may be maintained. However, if the difference is more than ten percent or not expected to increase in the next six month period within the same grant fiscal year, the employee's time must be charged to local budget or another funding source. All necessary adjustments must be made such that the final amount charged to the federal award is accurate, allowable, and properly allocated.

Grant Coordinators shall work with Grants Manager to calculate and document any local funding matches that are required as part of the grant. Local matches are to be calculated on the same six month reporting schedule with time and effort forms, and documentation is to be placed in the grant file in the School Business Office.

Employee Exits

An employee who is separating from service should submit a letter of intent to the Superintendent. In the letter, the employee shall note the purpose of separation (retirement, resignation, etc.) and the effective date. Although a formal exit interview is not required, it is suggested that each supervisor discuss the reasons for leaving with every employee leaving for purposes other than retirement.

B. Human Resources Policies

The policies ensure that that personnel compensation costs are spent in accordance with written policies and procedures. Refer to policy manual, collective bargaining unit contracts and personnel handbook. Unless authorized by the Superintendent and the grantor, the federal funds will not be used for relocation or severance pay.

The allowability of various types of personnel compensation costs is dependent on whether they are spent in accordance with written policies and procedures. For example, the cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as annual leave, sick leave, or holidays, is allowable if, among other criteria, the costs are provided under established written leave policies. Therefore, we ensure that human resource policies are in place which at least cover (1) how employees are hired (2 CFR §200.430(a)(2)); (2) the extent to which employees may provide professional services outside the entity (2 CFR §200.430(c)); (3) the provision of fringe benefits, including leave and

insurance, (2 CFR §200.431)); (4) the use of recruiting expenses to attract personnel (2 CFR §200.463(b)); and (5) reimbursement for relocations costs. 2 CFR §200.464.

The Salem Public Schools employee handbook is available on the District's website:

https://www.salemk12.org/UserFiles/Servers/Server_268054/Image/SPS%20Employee%20Handbook%2012-11-18.pdf

V. Record Keeping

A. Record Retention

Records are maintained that fully show (1) the amount of funds under the grant or subgrant; (2) how the subgrantee uses those funds; (3) the total cost of each project; (4) the share of the total cost of each project provided from other sources; (5) other records to facilitate an effective audit; and (6) other records to show compliance with federal program requirements. 34 C.F.R. §§ 76.730-.731 and §§ 75.730-.731. We also maintain records of significant project experiences and results. 34 C.F.R. § 75.732. These records and accounts must be retained and made available for programmatic or financial audit.

The U.S. Department of Education is authorized to recover any federal funds misspent within 5 years before the receipt of a program determination letter. 34 C.F.R. § 81.31(c). Consequently, we retain records for a minimum of five (5) years from the date on which the final Financial Status Report is submitted, unless otherwise notified in writing to extend the retention period by the awarding agency, cognizant agency for audit, oversight agency for audit, or cognizant agency for indirect costs. However, if any litigation, claim, or audit is started before the expiration of the record retention period, the records will be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. 2 C.F.R. § 200.333.

At the state level, records retention is overseen by the Massachusetts Secretary of State's Office (www.mass.gov/sec). The department head of any office that creates, receives or stores public records must designate a custodian of records. The custodian of records is the point of contact for all public records requests; ensures record security, and follows proper destruction of records protocol.

Maintaining an inventory of records will allow for the identification of records that may be at the end of the retention period. Prior to the destruction of records, a written request must be made to the Supervisor of Records. Once the written request is approved, a method can be chosen for destruction or recycling. Entities are advised to choose the method of destruction carefully especially if employee or student records are involved. The municipal records retention schedule is available on the website at:

https://www.sec.state.ma.us/arc/arcpdf/Municipal_Retention_Schedule_20190321.pdf

B. Collection and Transmission of Records

Most records may be maintained in either paper or electronic form, based on the current practices in the District. Electronic storage will provide an easier means to share documents upon request i.e. auditors, records inquires, etc. In either case, care must be taken to ensure the materials chosen to create the record will last through the records retention period. Minutes of

governmental bodies must be maintained in a paper format. Proper storage of the records is the responsibility of the entity. The municipal records retention schedule provides recommended storage standards. Additionally, if records are kept electronically, 2 C.F.R. 200.335 allows recipients to transmit them electronically, meaning there's no need to make paper copies.

C. Access to Records

We provide the awarding agency, Inspectors General, the Comptroller General of the United States, and the pass-through entity, or any of their authorized representatives the right of access to any documents, papers, or other records which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to personnel for the purpose of interview and discussion related to such documents.

D. Privacy

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. The District protects personal information of both students and employees through regular training and updated policies and procedures. On an annual basis, employees will take the annual regulatory training. Each module contains a short introduction, important documentation on the topic, a review quiz and additional materials. The modules include:

- Civil Rights;
- Bullying and Cyberbullying;
- Confidentiality of Student Records;
- Sexual Harassment or Discrimination;
- English Language Learners and SEI Endorsement;
- Mandated Report of Suspected Child Abuse;
- Restraint Procedures;
- Conflict of Interest; and
- Readiness and Emergency Management.

The Acceptable Use Policy addresses the protection of personal information of both students and employees. See Appendix D.

VI. Subrecipient Monitoring

In the event that the entity awards subgrants to other entities, it is responsible for monitoring those grant subrecipients to ensure compliance with federal, state, and local laws. Monitoring is the regular and systematic examination of all aspects associated with the administration and implementation of a program. Each program office that awards a subgrant must have its own monitoring policy. This policy must ensure that any monitoring findings are corrected.

VII. Frequently Asked Questions

As questions arise, this section will be populated.

VIII. Legal Authorities and Helpful Resources

The following documents contain relevant grants management requirements. Staff should be familiar with these materials and consult them when making decisions related to the federal grant.

Education Department General Administrative Regulations (EDGAR)

- <http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>

Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Part 200)

- <http://www.ecfr.gov/cgi-bin/text-idx?SID=ccccf77e01c9e6d4b3a377815f411704&node=pt2.1.200&rgn=div5>

USDE's Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Part 3474)

- http://www.ecfr.gov/cgi-bin/text-idx?SID=ccccf77e01c9e6d4b3a377815f411704&tpl=/ecfbrowse/Title02/2cfr3474_main_02.tpl

Federal program statutes, regulations, and guidance

- <http://www.ed.gov/>

State regulations, rules, and policies

- Massachusetts Department of Elementary and Secondary Education, Grants Manual: <http://www.doe.mass.edu/grants/procedure/manual.html>
- Massachusetts Department of Early Education and Care Grants: <http://www.mass.gov/edu/birth-grade-12/early-education-and-care/financial-assistance/funding-opportunities/forms-for-grant-recipients/>
- Massachusetts Municipal Records Retention Schedule: https://www.sec.state.ma.us/arc/arcpdf/Municipal_Retention_Schedule_20190321.pdf
- Massachusetts Inspector General's' Office, Chapter 30B Procurement: <http://www.mass.gov/ig/procurement-assistance/>

Local regulations, rules, and policies

- Local Policies: https://www.salemk12.org/school_committee/school_committee_policies
- Local Finance Operations Procedure Manual: <https://www.salem.com/finance-department>

Organizational Chart

- Current organization chart can be found in Appendix B.

Appendices:

Appendix A: Grant Tracking Sheet Example	I
Appendix B: Organization Chart	II
Appendix C: Travel Procedures	III
Appendix D: Acceptable Use Policy	IV

COMMUNITY RELATIONS 1000

COMMUNITY USE OF SCHOOL FACILITIES 1200

COMMUNITY USE OF KITCHENS 1203

It is the policy of the Salem School Committee, through the superintendent, that a member of the school lunch staff **who is a Certified Food Protection Manager** must be present whenever a community group or caterer uses a school cafeteria **to secure food storage, prevent contamination or cross-contamination of food, and clean surfaces and equipment** ~~that requires the use of ovens and/or stoves.~~

KITCHEN ORIENTATION REQUIREMENT

Any community group or caterer that intends to use the kitchen must first receive an orientation from a member of the school lunch staff **who is a Certified Food Protection Manager** regarding operation and care of equipment, safety procedures, and clean-up protocols prior to operating such equipment.

AUTHORITY LEVELS

~~While it is expected that common courtesies will be the standard, t~~The school lunch staff members **are** empowered by the School Committee to intervene as necessary if **they/he** feels that school lunch equipment, facilities, supplies, or other property is being misused.

DAMAGE TO SCHOOL EQUIPMENT/FACILITIES

Any damage done to school equipment or facilities which may occur must be recorded on a form, which will be provided to the spokesperson for the community group and caterer and given to the school lunch staff member prior to exiting the building. If necessary, the school staff member may assist in filling out the form.

CLEAN UP

Kitchens must be thoroughly cleaned and left in the same condition in which they were found. School supplies must be used. Specific cleaners and sanitizers will be available for this purpose.

~~COMPENSATION~~

~~In that the school lunch fund is self-sustaining and is supposed to operate on a non-profit basis, the cost for a school lunch staff member's salary for his/her presence shall be borne by the community group or caterer.~~

DELEGATION OF AUTHORITY

The superintendent is responsible for communicating all provisions of this policy. The school lunch manager is responsible for enforcing this and communicating this policy through all appropriate correspondence, brochures, discussions, and by demonstration.

Reviewed AugustDecember 202216 by Policy Subcommittee. —referred to Buildings and Grounds Subcommittee for further review.

COMMUNITY RELATIONS

1000

RELATIONS WITH LOCAL GOVERNMENT AGENCIES

1400

SPS-POLICE ENGAGEMENT

1401

The following statement of policy applies to the Salem Public Schools, pursuant to the development of a Memorandum of Understanding with the Salem Police Department. The Memorandum of Understanding formalizes the working relationship agreed upon by the Salem Public Schools and the Salem Police Department to work within their respective statutory mandates and provide a safe educational setting ~~free of drugs and violence.~~

The Salem Public Schools will collaborate with the Salem Police Department to develop, coordinate, and implement ~~appropriate and humane~~ ~~their~~ responses to violent, delinquent, or criminal acts by students, including weapons reporting and alcohol and other drug use, which occur on school premises or at school-related events. ~~To ensure a safe educational environment, the Memorandum of Understanding between the school administration and law enforcement will support “zero tolerance” for harassment, intimidation, hazing, violence, weapons, alcohol and other drugs, and include the reporting of non-students involved in such acts on school premises or at school events.~~ Relationships between the schools and officials of law enforcement agencies in investigative matters concerning pupils will take into consideration the respective roles of the schools and law enforcement agencies in assisting and protecting the interests of the community, and ensuring the rights of all concerned.

The Memorandum of Understanding will identify the school’s role with respect to discipline matters, the police role with respect to investigation of criminal activity, and include the process for communication with parents or guardians. The document will be revised as needed to meet the needs of the schools and the community, adhering to any state or federal statutes, and complying with any Department of Education regulations.

The Memorandum of Understanding will reflect the commitment of the school and police departments to reducing school violence and criminal activity in the community through effective communication, information sharing, and the development of a school and community network, which may include the assignment of police officers ~~assuming to the schools in the capacity of the role of~~ School Resource Officers. ~~School Resource Officers Implementation~~ will be guided by a commitment to ~~emphasize~~ mutual respect, appropriate dissemination of information, and ~~coordinated~~ professionally informed strategies for early intervention with high-risk youth. The signatures of the Salem Superintendent of Schools and the Chief of Police will notarize the Memorandum of Understanding. ~~Each year, the Salem Police Department and Superintendent will give a joint presentation on their partnership, including all appropriate data, to the School Committee.~~

See Administrative Guidelines

Approved: 12/3/07

Reviewed by Policy Subcommittee December 2016 and further review is recommended

SCHOOL COMMITTEE **6000**

SCHOOL COMMITTEE ADVISORY COMMITTEES **6500**

STUDENT ADVISORY COMMITTEE **6502**

As required by law, it shall be the policy of the Salem School Committee to meet at least once every other month when school is in session with the student advisory committee consisting of 5 members elected by the student body of Salem High School.

In recognition of service devoted to school- or district-level governance, Salem High School, New Liberty Innovation School, and Salem Prep High School seniors may apply for a Salem Public Schools Governance Scholarship, to be awarded to one student from each high school in the amount of \$500. Eligible students may apply for the scholarship in March of senior year, and awards are to be used for post-secondary endeavors such as college/university expenses, entrepreneurship, vocational training, and/or a career in the military.

In January of each academic year, the School Committee will establish an ad hoc committee of no fewer than three School Committee members who will review applications and award scholarships. In the event that fewer than three School Committee members volunteer, the chair will appoint additional members. Scholarship application materials and guidelines, as well as a general outline of the process whereby scholarship recipients are chosen, will be published and updated as needed on the School Committee page of the Salem Public Schools website. Scholarship recipients will receive their awards no later than the first School Committee meeting of June.

Legal Reference: MGL 71:38M

Reviewed: October 2016

Reviewed May 24, 2022, a new proposal created for committee members to review.

COMMUNITY RELATIONS **1000**

COMMUNICATIONS WITH THE PUBLIC **1100**

ADVERTISING IN THE SCHOOLS **1102**

The purpose of this policy is to limit advertising in the schools and the use of schools to distribute commercial and promotional material. The goal is that both the superintendent and the building principal approve all such material in advance of any use.

To advance this general policy, the following specific restrictions on the presence of advertising in the schools and use of schools to disseminate material are adopted.

Public school material and announcements made by the city may be distributed to parents through the school system with no advance approval required. Such announcements include, for example, notices of recycling programs, civic functions, and the like. All such announcements and/or material must be distributed in both English and Spanish. Political announcements may not be distributed through the school system.

Use of school property for advertising purposes is prohibited except when approved by the building principal and the School Committee. Such approval will only be granted when there is a demonstrated educational benefit derived from the use. An example would be a set of bulletin boards placed and maintained by a private company to present uplifting and educationally useful information. Space is reserved on those boards for advertisements and this is permissible if the building principal approved of each advertisement and retains the right to remove those that are not consonant with school policy. If there is any question about appropriateness of any such use of school property, the matter should be referred to the superintendent's office. The superintendent will refer to the School Committee any matters of major import.

Any distribution instigated by a private party shall be marked as such as to distinguish it from an official school department correspondence. All such materials must be presented through the superintendent's office and then to the building principal for approval.

there may be allocated special bulletin boards placed in schools on which public notices may be freely posted. space on these boards will be on a first come first served basis with priority granted to students in the school. others may post notices with the permission of the principal clearly marked on the notice. these notices are limited to job offers and information of interest to the school community at large such as club meetings and other public organizations. the school may charge a fee for the placement of any advertising on its property, but no such fee-generating ads will be placed without express