

## ARTICLE 4.

### SCHOOL COMMITTEE

#### SECTION 4-1. Composition; Eligibility; Election and Term

(a) Composition—There shall be a school committee of 9 members; 8 of whom, which shall exercise control and management of the public schools of the city. Eight of these members, who shall be known as school committee members. The school committee members, shall be nominated and elected by the voters at large, 1 school committee member to be elected from each ~~of the 8 wards~~ of the city. The mayor shall serve, ex officio, as a member of the school committee with full power to vote. The school committee shall be the judge of the election and qualification of its members.

(b) Eligibility—Only voters shall be eligible to hold the office of school committee member. A candidate for the office of school committee member shall be a resident of the ward from which the candidate seeks election as of ~~the date that the election commission makes available blank forms for the nomination of candidates for office~~ July 1 of the year in which a regular election is held. ~~In order to hold the office of school committee member, a candidate shall have continuously been a resident of the ward from which the candidate is elected from the date that the election commission made such blank forms available until and including the first day of the term for which the candidate is elected.~~

A member of the school committee shall, notwithstanding the member's removal from 1 ward of the city to another, continue to serve and to perform the member's official duties during the member's term of office. The removal from residency within the city shall create a vacancy in such office.

No member of the school committee shall hold any other elected office.

(c) Election and Term—The terms of ~~each~~ school committee members shall be 2 years beginning on the first ~~secular~~ day of January after the ~~member's~~ election and shall continue until their successors are is qualified. No person shall be eligible for election to the school committee for a fifth consecutive full term.

(d) Compensation — School committee members shall receive such salary as the city council shall determine by ordinance, but no change in such salary shall take effect during the current term of the school committee in office at the time of the adoption of the ordinance making such change.

Subject to appropriation and to prior authorization by the school committee, the school committee members shall be entitled to reimbursement of their actual and necessary expenses incurred in the performance of their duties.

#### **SECTION 4-2. ~~Organization; Quorum;~~ Rules of Procedure; Posting of Policies**

(a) Organization—~~After Upon~~ the mayor ~~elect~~ and ~~a majority of the~~ school committee members ~~elect have been~~ being sworn into office, the ~~school committee mayor~~ shall convene the school committee, which shall elect a chair and vice-chair ~~be called together by the mayor who shall preside. The school committee shall then elect from among its members, a chair and a vice chair, who~~ The vice-chair shall act as chair during the absence or disability of the chair. The school committee shall ~~also elect~~ appoint a secretary who shall not be 1 of its members. The ~~chair, vice chair and~~ secretary shall serve at the pleasure of the school committee.

(b) Quorum—A majority of the school committee then in office shall constitute a quorum but a smaller number may meet and adjourn from time to time.

(c) Rules of Procedure—The school committee shall establish and periodically update ~~from time to time establish~~ rules for its proceedings.

Except as otherwise authorized by ~~sections 18 to 25, inclusive, of chapter 30A of~~ the General Laws, all sessions of the school committee shall be open to the public ~~and press~~. A full, accurate and up-to-date record of the proceedings ~~of the school committee~~ and policies adopted by the school committee shall be kept and:

- (i) made electronically available to the public in a timely manner;
- (ii) and shall be open to inspection by the public. It shall include a record of each roll call vote; and
- (+)(iii) shall be available in such other forms and venues as the school committee determines.-

#### **SECTION 4-3. General Powers and Duties**

The school committee shall aim for educational excellence in accordance with this charter and the Massachusetts General Laws. The school committee shall have all the powers and duties which school committees may have under the General Laws and may have such additional powers and duties as provided by the city council or this charter ~~may by ordinance from time to time assign~~. The powers of the school committee shall include, but not be limited to, the power to:

- (i) (+) establish a mission statement for the Newton Public Schools, and policies that align with that statement;

- (ii) select, evaluate and remove ~~appoint a~~ the superintendent;
- (iii) adopt all reasonable rules and regulations for the management of the public school system;
- (iv) adopt and oversee the administration of an annual operating budget for the school department, as provided in the city's budget;
- (v) oversee all school buildings and grounds including, but not limited to ~~(ii) appoint all other officers and employees connected with the schools, fix their compensation and define their duties, make rules concerning their tenure of office and discharge them at its pleasure;~~ ~~(iii) furnishing~~ all school buildings with proper fixtures, furnishings and equipment; and ~~(iv) providinge~~ ordinary maintenance and repairs on all school buildings up to a maximum expenditure equal to 2 per cent of the school department's operating budget adopted for the preceding fiscal year; provided, however, that sums in excess of the maximum for the provision of ordinary maintenance and repairs may be appropriated by the mayor and the city council and no sums appropriated to accounts for ordinary maintenance and repairs shall be transferred without a 2/3 vote of the city council.;
- (vi) upon the recommendation of the superintendent, establish and appoint assistant or associate superintendents who shall report to the superintendent; and
- ~~(i)~~(vii) serve as the employer representative for all employment agreements and labor contracts of employees under the jurisdiction of the Newton Public Schools.

#### **SECTION 4-4. New School Buildings**

~~Whenever in the opinion of~~ if ~~the school committee determines that a new school building or a major renovation~~ house is required or material alterations are needed, ~~the school committee~~ it shall send a written communication to the city council describing the determination. Upon receipt of the written communication, the city council shall establish a committee to evaluate and oversee the planning and construction of the new building or major renovation, which shall include at least 1 member of the school committee. The city council shall not approve a new building or a major renovation unless the school committee has approved the educational specifications of the new building or major renovation that align with the best practices established by the commonwealth.

This section shall also apply to a new building or renovation on property that the city acquires to address the educational needs of the community.

~~stating the locality and the nature of the further provisions for schools which are needed; provided, however, that no schoolhouse shall be located, built or materially altered until the school committee shall have been consulted as to the proposed location and plans and had full opportunity to set forth its requirements.~~

#### **SECTION 4-5. Prohibitions**

No former school committee member shall ~~be appointed hold to~~ any compensated ~~appointive~~ city office or ~~city~~ employment until 1 year after the expiration of the member's service on the school committee. This ~~provision section~~ shall not prohibit a former city employee or city officer from resuming the duties of the city officer or city employee at the conclusion of service on the school committee.

#### **SECTION 4-6. Filling of Vacancies**

(a) If a vacancy occurs, by failure to elect, removal from the city, death, resignation or otherwise, on the school committee at any time before the final 9 months of the term for which the school committee member was elected, the city council shall at its next regular meeting call a special election to fill the vacancy.

The election shall be by the voters of the whole city.

(b) If a vacancy occurs within the final 9 months of the term for which a school committee member is elected, ~~the city council may call an~~ special election shall be held to fill the vacancy. ~~If the city council does not call a special election and,~~ the person elected at the next regular city election to the seat in which the vacancy exists shall immediately be sworn and shall, in addition to the term for which the member was elected, serve for the balance of the then-unexpired term.

(c) A candidate for the office of school committee member shall be a resident of the ward in which there is a vacancy as of the date on which the city council calls the special election.