

School Committee Policy Review Subcommittee  
Monday, February 8, 2021  
5:00 PM – 6:30 PM  
Remote via Zoom

Policy Review Subcommittee members present: David Pearlman (Chair), Dimitry Anselme, Andreas Liu, and Jennifer Monopoli.  
School Staff present: Mary Ellen Normen, Casey Ngo-Miller, Michelle Herman, Hal Mason, Asa Sevelius, Jennifer Buller, Torrance Lewis, Mindy Paulo, and Robin Coyne.

Mr. Pearlman called the meeting to order at 5:00 PM.

**1) Approval of Minutes**

On a motion of Dr. Liu and seconded by Mr. Anselme, the Policy Review Subcommittee voted unanimously (by roll call) to approve the minutes of the January 11, 2021 Policy Review Subcommittee meeting.

**2) Discussion of Student Grouping, Inclusion and Placement Practices Policy**

Health Principal Asa Sevelius, Ruffin Ridley Principal Jennifer Buller, Baker Principal Torrance Lewis, and Runkle Principal Donna Finnegan explained current practice with regard to grouping, inclusion, and placement. Considerations include need for proportional balance for both students and staff and affinity groups. The size of schools and programs offered may also impact placements. Principals, Ms. Ngo-Miller, and Director of English Learner Education Mindy Paulo discussed considerations for placing students in Special Education and the English Learner Program (including federal and state regulations). Schools offer parents/guardians an opportunity to submit information about their child that may be relevant to placement decisions. Parents/guardians can note that they think a particular teaching style would be preferable for their child, but can't request specific teachers. Ms. Ngo-Miller agreed with a suggestion to review and standardize (to the degree possible) the parent/guardian questionnaires. Principals try to make sure that each student will have at least one child they consider a good friend in their class, and avoid placing together students with a documented issue between them. The placement process assumes full staffing at schools. Brookline High School (BHS) Assistant Head of School Hal Mason explained placement practices at Brookline High School, including the cohorts at Old Lincoln School.

Subcommittee members asked the administrators whether there are any elements of the current Student Grouping, Inclusion and Placement Practice Policy that should be amended. Comments included the following: the current Policy does not reference the Individuals with Disabilities Education Act (IDEA) requirement that teachers have specific endorsements; may want to clarify what is meant by diversity and affinity; provide some latitude because schools are unique and it is important to review things through an equity lens; be mindful of what should go in the policy vs procedures.

**3) Discussion of Student Rights and Responsibilities Policy**

BHS Assistant Head of School Hal Mason discussed current practice at the High School, including the following: the role of Student Council in developing and changing

procedures; student development of courses, particularly in School-Within-A-School; and opportunities for independent study (happens infrequently). Mr. Pearlman reported that many districts have a more generic policy that is based on the Massachusetts Association of School Committees (MASC) Sample Policy. The Brookline Policy needs to be amended to reflect the School Committee's adoption of a new Yearbook Policy. Members stressed the importance of maintaining language that relates to student voice and democracy. Ms. Normen suggested having a sub-policy related to student decision-making, and moving language on clubs to the Student Activity Policy. Mr. Mason and Subcommittee members will review the current Brookline Policy vs the MASC Sample Policy, and continue this discussion at an upcoming meeting.

#### **4) Discussion of Special Services Policy (Possible Vote)**

Mr. Pearlman reported that he reviewed Policy Manuals from other districts and they do not include a Special Services Policy. Ms. Ngo-Miller reviewed the Policy and confirmed that the Policy can be eliminated because its provisions are no longer in effect or are addressed in other Policy Manual Sections and/or State or Federal Regulations.

On a motion of Dr. Liu and seconded by Mr. Anselme, the Policy Review Subcommittee voted unanimously (by roll call) to recommend that the full School Committee eliminate the Special Services Policy (Attachment A) from the Public Schools of Brookline Policy Manual.

#### **5) Discussion of School Calendar, including School Calendar Policy (I1b), School Closing and Delayed Opening Due to Inclement Weather Policy, and Parent Teacher Conferences Policy (I1e)**

The Subcommittee discussed whether to consider amending the School Closing and Delayed Opening Due to Inclement Weather Policy to provide for remote instruction on snow days. Comments included the following: difficult for educators and students to pivot to remote learning on short notice; would require additional teacher prep time; the district moved to remote learning out of necessity during the pandemic, not because it is preferable; there may be technology access issues; remote exercises could be offered in Google lessons to supplement learning, but not to replace it; a remote option could benefit students who cannot attend school for medical reasons; and consider offering remote teacher-parent conferences. Ms. Normen will check whether the Information Technology Department intends to renew licenses for online platforms such as Zoom.

The Subcommittee discussed the district's practice with regard to early dismissals. Mr. Mason commented that BHS's two early dismissals provide an opportunity for BHS teachers to meet with their Grade 6-8 colleagues (aren't used for Grade 9-12 Parent Teacher Conferences). The elementary schools have more early dismissals. The Subcommittee discussed the use and frequency of early dismissals. Comments included the following: research has shown that one-off professional development days aren't effective for learning; the school day in Brookline is shorter than in most districts; the State sets a required number of hours for time and learning (990 for secondary students and 900 for elementary students); some families have expressed concerns regarding the number of early dismissals; and there are collective bargaining implications. The Subcommittee will continue discussion at an upcoming meeting.

**6) New Business**

Ms. Normen will forward the last version of the Student Activities Policy to Mr. Pearlman for consideration at an upcoming meeting. Ms. Normen has started to revise the Finance Section of the Policy Manual, and would like the Finance Subcommittee to review one section at each meeting.

Ms. Ngo-Miller reported that Director of Guidance and Counseling Maria Letasz created a flowchart for Harassment Complaint Procedures. Attorney Justin Gomes is reviewing the draft flowchart.

The meeting adjourned at 6:30 PM.

**SECTION J  
STUDENTS**

**9. Special Services**

***a. Eligibility of Non-Public Pupils for Special Services:***

(10/1/75, Dr. McKenzie Memo)

Non-public pupils who reside in Brookline are eligible for a variety of pupil services under Chapter 71B (Chapter 766), subject to the following conditions:

1. Services are available only to individual pupils, living with their parents in Brookline. (Services are not for non-public schools; rather they are for resident pupils only who apply for same.)
2. Various regulations of Chapter 766 cite eligible and approvable programs (called program prototypes) which are conditions of instruction and support services which shall be conducted by the public schools and within public schools.
3. Any such non-public pupil whose resident family requests an informal or formal evaluation (formal evaluation is called Core Evaluation) shall be provided such by the public schools, within its premises or on a neutral site, and not on the premises of a non-public school.
4. Diagnostic and evaluation services so granted will be comparable to those given all public pupils; being not greater nor lesser in kind or amount, for the appropriate condition. Such services shall be provided within the contractual schedules of the public school staff.
5. Any subsequent requests for special instruction or support services (special education, remediation, et al.) which require such a pupil to be within the public school for more than nominal services, shall warrant registration as a pupil in the public schools.
6. Any requested instructional and/or support service shall be offered at a public school location, and at times as arranged by the Coordinator of Pupil Personnel Services, or his designee, Nathaniel J. Resnick, Chairman of Special Education.
7. The Superintendent of Schools reserves the option of a review, and possible School Committee approval of any request for the aforementioned services, which are viewed as extraordinary, or possibly beyond the school's responsibility.

***J 9 b. Special Education Mediation, Hearings, Litigations:***

(Voted 6/18/79, #79-245; 10/11/83, #83-447)

It is the intention of the Brookline School Committee to carry out its Special Education Programs in conformance with Chapter 766 and P.L. 94-142, in order to provide services which meet the needs of individual students. In the event that an individual educational plan (IEP) is not acceptable to the parent, every attempt will be made by staff to reconcile the concerns of the parent and the best interests of the student with the resources of the Public Schools of Brookline.

In the event that mediation of the matter fails, the following steps will be followed with regard to informing the School Committee:

1. The School Committee, through its Assistant, shall be notified by the Assistant Superintendent for Integrated Student Services of any hearings on a Brookline Educational Plan under Chapter 766 (and P.L. 94-142) to be conducted before a hearing officer of the State Department of Education.

2. As soon as a decision resulting from a hearing is received, it shall be furnished to the School Committee by Town Counsel.

3. When a Brookline Educational Plan under Chapter 766 and P.L. 94 142 has been found inadequate by a hearing officer, and the Superintendent of Schools feels the appeal is in the best interest of the student and the Town of Brookline:

a. Town Counsel will notify the School Committee and obtain its approval in advance of the deadline for submission of the appeal; or

b. If time constraints make it impossible to obtain School Committee approval in advance, Town Counsel may file such an appeal to the courts, provided that Town Counsel will refer the matter as soon as possible and in such timely fashion that if not approved by the School Committee, the appeal can and will be withdrawn.

4. No litigation shall be commenced on behalf of the School Committee without prior discussion and authorization by the School Committee. If time constraints make it impossible to notify the School Committee in advance of a legal deadline, Town Counsel will refer the matter to the School Committee for approval as soon as possible and, if not approved by the School Committee, the litigation taken in the name of the School Committee will be terminated by Town Counsel.

5. Quarterly, Town Counsel shall forward to the School Committee a list of litigation in process for informational purposes.

***J 9 c. In-School Observations of Special Education Programs by Parents/Guardians and their Designees*** (Voted 6/3/10, #10-51)

In accordance with Massachusetts special education law<sup>1</sup>, The Public Schools of Brookline permits parents/guardians and their designees (defined by law as parent designated independent evaluators and educational consultants) to conduct in-school observations of their child's current or proposed special education program.

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<sup>1</sup> This policy is drafted in compliance with Chapter 363 of the Acts of 2008 which went into effect on January 8, 2009.

When a parent/guardian or designee wishes to conduct such an observation, the following procedures shall be followed:

1. The parent/guardian shall contact the Special Education office at the building level and indicate that an observation is requested. The parent/guardian will indicate the name of the person who will conduct the observation and the affiliation of that person to the child and/or parent/guardian.
2. If the request for the observation comes from someone other than the parent/guardian, the school district will need to confirm with the parent/guardian the identity of the observer and ensure that the parent/guardian consents to the observation. If the designee wishes to observe the student's records, the school district must obtain written consent from the parent/guardian before allowing the designee to access the student's record in accordance with the Massachusetts student record regulations.
3. Upon notification of the request for the observation, the school district will provide timely access to the student's current or proposed educational program. The school district will contact the parent/guardian and/or designee to schedule a mutually convenient time for the observation.
4. The school district will also discuss with the parent/guardian and/or designee in advance of the observation a reasonable time allotment for the observation. The observer will be permitted to observe both academic and non-academic activities if requested. Observation times will be determined on an individual basis depending on the circumstances of the particular student and/or program to be observed.
5. The Public Schools of Brookline is responsible to ensure the safety of its students at all times. If, in the opinion of the school district, the observation threatens to compromise the safety of the students in the observed program, the integrity of the program during the observation, or if there is the threat of disclosure by the observer of confidential or personally identifiable information he or she may obtain while observing the program, the school district may impose reasonable limitations and restrictions on the observation. The school district will discuss these concerns with the observer prior to the observation, and the school district will make reasonable efforts to work with the observer around these issues to ensure a safe and productive observation. Any limitation and restrictions imposed pursuant to this paragraph will be done on a case by case basis.
6. The Public Schools of Brookline may exercise its discretion at any time to reschedule or terminate an observation in the event of a building emergency or a significant disruption that impacts the physical or emotional well-being of the students in the school or the program being observed.