

School Committee Policy Review Subcommittee
Monday, May 11, 2020
6:00 PM – 7:30 PM
Remote via Webex Event

Policy Review Subcommittee members present: David Pearlman (Chair), Sharon Abramowitz, and Jennifer Monopoli.
School Staff present: Casey Ngo-Miller, Maria Letasz, and Robin Coyne.

Mr. Pearlman called the meeting to order at 6:00 PM.

1) Approval of Minutes

On a motion of Ms. Monopoli and seconded by Mr. Pearlman, the Policy Review Subcommittee voted unanimously (by roll call) to approve the minutes of the April 27, 2020 Policy Review Subcommittee meeting.

2) Discussion of Draft Policy on Homeless Students

The Subcommittee reviewed the revised draft Policy on Homeless Students (Attachment A). Mr. Pearlman explained the changes to the last draft. Ms. Monopoli stressed the importance of clarity of language.

On a motion of Dr. Abramowitz and seconded by Mr. Pearlman, the Policy Review Subcommittee voted unanimously (by roll call) to recommend that the School Committee schedule a 1st Reading of the proposed Policy on Homeless Students on May 27, 2020.

3) Discussion of Draft Policy on Students in Foster Care

The Subcommittee reviewed the draft Policy on Educational Opportunities for Students in Foster Care (Attachment B). Mr. Pearlman explained the changes to the last draft.

On a motion of Dr. Abramowitz and seconded by Mr. Pearlman, the Policy Review Subcommittee voted unanimously (by roll call) to recommend that the School Committee schedule a 1st Reading of the proposed Policy on Educational Rights for Students in Foster Care on May 27, 2020.

4) Discussion of Policy on School Committee Public Comment

The Subcommittee discussed the Public Schools of Brookline (PSB) Policy on Public Comment. The Subcommittee reviewed Mr. Glover's proposed edits (Attachment C). Discussion focused on the following: the School Committee's current practice of holding occasional workshops that are public meetings, but that are not broadcast and do not include public comment; whether public comment should be required at all School Committee meetings or should be at the Chair's discretion; whether the School Committee should use public hearings more expansively, i.e., whenever there is substantial community interest in a topic; and whether written comments from the public should be included in the public record.

Mr. Pearlman will review the Cambridge School Committee Policy, and will prepare a draft policy for review at the next Subcommittee meeting on May 20, 2020.

5) New Business

The Subcommittee discussed possible topics to take up at upcoming meetings. The Subcommittee agreed to discuss the School Site Council Policy at the next Subcommittee meeting on May 20, 2020. Mr. Pearlman will see if the Executive Director of the Massachusetts Association of School Committees (MASC) is available to provide a presentation. The meeting will include an opportunity for public input. Other suggestions included the following: recourse when staff do not comply with PSB Policies; a Communications and Community Engagement Policy; a policy that addresses long-term closure of buildings during emergencies and remote learning; the Student Attendance Policy; a Dress Code Policy; the Student Activities Policy. The Subcommittee discussed a long-term review/update of the PSB Policy Manual, starting with Section A.

The meeting adjourned at 7:30 PM.

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

I. Preamble.

A. As required by law, the Public Schools of Brookline (PSB) will work with homeless children as well as their families or legal guardian(s) to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of current PSB students and homeless students in Brookline not attending school.

II. Definitions.

A. Homeless students are defined as students lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for people;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or other similar settings;
7. Living in temporary housing provided by the Massachusetts Department of Transitional Assistance or other government agencies or charity organizations;
8. Migratory children who qualify as homeless because they are living in conditions described in the previous examples.

III. Services.

A. Homeless students attending the PSB will be provided district services for which other PSB students are generally eligible, including pre-school programs, Title I, special education, and bilingual education. Homeless students attending the PSB will be eligible for vocational and technical education, gifted and talented programs, wraparound service programs, school nutrition programs, summer programs, after school programs, athletics programs, music, visual arts and performing arts programs, and other extracurricular activities.

B. The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. The PSB homeless education liaison shall coordinate with local social service agencies that provide services to homeless children and youths and their families, other school districts on issues of transportation and records transfers, and state and local housing agencies responsible for comprehensive housing affordability strategies. This

coordination includes providing public notice of the educational rights of homeless students. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students. The liaison shall ensure district staff receive professional development and other support on issues involving homeless students.

IV. Enrollment.

A. All homeless students temporarily housed in Brookline shall be entitled to attend the PSB. Notwithstanding the foregoing, it is presumed to be in the best interest of homeless students to remain in their schools of origin, i.e., the school that the student was attending at the time homelessness commenced, or the last school the student attended prior to becoming homeless, except when doing so is contrary to the request of the student's parent or guardian. When determining a student's best interest, the district must consider student-centered factors, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youths. At its discretion, the district may periodically review the student's best interest.

B. Homeless students temporarily housed in Brookline but whose school of origin is outside of the PSB may continue to attend their school of origin for as long as they remain temporarily housed in Brookline. Upon leaving Brookline, these students shall coordinate enrollment options with the new district in which they are temporarily housed.

C. Homeless students temporarily housed outside of Brookline but whose school of origin at the time they become homeless is within the PSB may continue in the PSB for as long as they remain homeless.

D. Homeless students enrolled in the PSB who move outside of Brookline or cease to be homeless outside of Brookline may remain in the PSB until the end of their school's current academic reporting period, except that:

(i) homeless students in the final grade level at a school in the PSB may remain within the PSB until the end of the school year.

E. For homeless students who completed or complete the final grade level served by the school of origin, and remain homeless in Brookline or were enrolled in the PSB at the time they became homeless, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

F. Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The PSB shall help coordinate transportation for eligible students who are sheltered or temporarily residing within Brookline to the students' school of origin, in accordance with state and federal law. For homeless students residing outside of Brookline for whom the school of origin is within Brookline, the PSB shall similarly coordinate with the district in which the student is sheltered or temporarily residing to provide the transportation services necessary, in accordance with state and federal law.

V. Students Enrolling in District Where Sheltered or Temporarily Residing.

A. Parent(s) or legal guardian(s) may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin.

B. Homeless students are encouraged to provide written proof of their shelter or temporary residence. If they are unable to do so the homeless education liaison will work with the family seeking enrollment to determine homelessness.

VI. Records.

A. Information about the homeless student's living arrangements shall be considered a student education record, and not directory information. Records containing information about the homeless student's living arrangement may not be disclosed without the consent of the parent or legal guardian, absent a state or federal student-privacy related exemption.

B. If the student cannot provide immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible.

VII. Contact Information.

A. Emergency contact information is required at the time of enrollment consistent with PSB policies, including compliance with the state's address confidentiality program where necessary.

B. After enrollment, the PSB will immediately request available records from any school(s) attended by the homeless student within the last two calendar years.

VIII. Dispute Resolution.

A. If the PSB disagrees with a parent or legal guardian's determination of a homeless student's best interests for school district placement, the PSB will explain to the parent(s) or legal guardian(s), in writing and in a language the parent can understand, the rationale for its determination and provide the parent(s) or legal guardian(s) with written notice of their rights to appeal the PSB's determination to the Massachusetts Department of Elementary and Secondary Education (DESE).

B. During the pendency of an appeal to DESE, the student may remain enrolled at whichever school the student attended during the filing of the appeal. Pending appeal, the student may receive transportation to that school, consistent with state and federal law.

EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

I. Preamble.

A. The purpose of this policy is to ensure the educational stability of students in foster care. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the Public Schools of Brookline (PSB) are committed to supporting all efforts to ensure that students in foster care have access to high-quality, stable educational experiences from pre-school through high school graduation.

II. School Placement.

A. Whenever a student changes placement (i.e. enters foster care or moves to another foster placement), a Best Interest Determination (BID) must occur. Irrespective of the location of a foster care placement, students in foster care shall continue to attend their school of origin or school of last enrollment, unless after a collaborative Best Interest Determination (as hereinafter defined), it is stated, in writing, to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care.

B. The superintendent shall designate a point of contact (POC) for students in foster care. The responsibilities of the POC include participating in the process for making best interest determinations, ensuring school enrollment and attendance of students in foster care, providing timely transfer of records, developing and implementing procedures for providing and coordinating cost-effective transportation, as needed; and facilitating professional development for district staff to promote educational stability for students in foster care. The PSB and the POC will collaborate with the Department of Children and Families (DCF) to ensure that students are enrolled in and regularly attending school, enjoy full and equal opportunities to succeed in school and meet the same state academic standards as other students, as well as receive other services for which they are eligible.

III. Best Interest Determination

A. Decisions about whether a student in foster care should continue to attend the school of origin (a "Best Interest Determination") should be made promptly and collaboratively by DCF, the school and district of origin, the district in which the student resides in foster care, the education guardian ad litem (GAL) surrogate if one has been appointed, the court appointed special advocate (CASA) if one has been appointed, and as situationally appropriate, the student, the student's family, and the foster family. The PSB shall make an effort to also include appropriate individuals with specific knowledge of the student's needs, such as doctors, therapists, mentors, tutors, extracurricular program instructors, and other service providers.

B. Best Interest Determinations should focus on the needs of each individual student. Factors to be considered should include: (1) the student's age and grade level, (2) the student's preference (when age appropriate), (3) the time in the academic year, (4) academic performance, (5) current educational goals and services, (6) the Individualized Education Plan (IEP), if applicable, (7) individual skills, needs, and social connections, (8) ability to maintain family relationships and

engagement, (9) clinical and behavioral considerations, (10) safety issues, (11) distance to school, (12) length of the school day, (13) number of school changes and foster placements to date, (14) anticipated length of time in placement, and (15) DCF's goal for the child (e.g. reunification, third party custody, guardianship, adoption, etc.). Additionally, the parties involved in the decision may wish to determine a time to revisit the question of whether it is in the student's best interest to remain in the school of origin or enroll locally.

C. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, then DCF, as legal custodian, will finalize the Best Interest Determination if the relevant parties cannot agree on the best school for the student to attend.

D. All Best Interest Determinations shall be made in writing. The PSB shall ensure that copies of the Best Interest Determination will be provided to the POC of the school of origin or district in which the student resides (as applicable), the Department of Children and Families (DCF), and the student (if 18 or older) within three business days of completion. Upon written request, the PSB shall also provide copies of the Best Interest Determination to the student's attorney, the education GAL surrogate, and the CASA within three business days.

(i) Attorneys representing students must provide a certified copy of the applicable court docket confirming their appointment to represent the child, an active Massachusetts Attorney Bar card, and an active state or national photo identification card prior to receipt of any communications regarding the student.

(ii) Education GAL surrogates and CASAs must provide a certified copy of their court appointment, active professional licensure, and active state or national photo identification card prior to receipt of any communications regarding the student.

E. The PSB can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by the Department of Elementary and Secondary Education (DESE) and DCF. Decisions made through this process are not subject to review. To the extent feasible and appropriate in accordance with state and federal law, the PSB will ensure that a child remains at the school of last attendance while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

IV. Transportation

A. Foster care students are entitled to transportation comparable to that provided for all other students attending school in the district. The PSB shall collaborate with DCF and the relevant outside district on how transportation will be arranged and provided to ensure that students in foster care who are eligible for transportation to remain in their school of origin or school of last enrollment will receive such transportation while they are in foster care, in accordance with state and federal law. Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, and seeking help from foster parent(s), etc.

V. Enrollment

A. If it is in the best interests of a student in foster care as determined by the BID to attend school locally (where placed in foster care), the district must enroll the student immediately. During enrollment of students in foster care, DCF representatives will present the district with current Notice to the Local Educational Agency and the Mittimus indicating that the student is in foster care, along with a state-agency identification badge.

B. If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

C. PSB students in foster care will be provided district services for which other PSB students are generally eligible, including pre-school programs, Title I, special education, and bilingual education. Foster care students will be eligible for vocational and technical education, gifted and talented programs, wraparound service programs, school nutrition programs, summer programs, after school programs, athletics programs, music, visual arts and performing arts programs, and other extracurricular activities.

VI. Attendance

A. Foster care students may continue within the PSB for as long as they remain in foster care, provided that the Best Interest Determination(s) support(s) such continued enrollment

B. Foster care students who exit foster care outside of Brookline may remain within the PSB until the end of their school's current academic reporting period, except that:

(i) foster care students who exit foster care in the final grade level at a school in the PSB may remain within the PSB for the duration of that school year, provided that the Best Interest Determination(s) support(s) such continued enrollment.

D. For foster care students who completed or complete the final grade level served by the school of origin, and remain at a foster care placement in Brookline or were enrolled in the PSB at the time they entered foster care, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

Public Comment and Participation at School Committee Meetings (~~Revised Policy~~)

School Committee meetings are conducted in accordance with the Massachusetts Open Meeting Law, G.L. c. 30, s. 18. In addition, the School Committee believes that the public should have an opportunity to comment to the Committee on issues that affect the school district and are within the scope of the Committee's responsibilities. Therefore the Committee has set aside a period of time at each School Committee meeting to hear from the public.

If the Committee believes that an issue requires a broader dialogue with the public, the Committee may schedule a separate public hearing on that issue.

Public Comment is not a discussion, debate, or dialogue between or among citizens and the School Committee. Rather, it is intended to offer citizens an opportunity to express their opinion on issues of School Committee business. While the Committee and/or administrators will not typically respond to citizen comments or questions posed at Public Comment, the Chair, as presiding officer of the meeting, may answer or request an answer to a question if s/he deems it expeditious. Further, should the Chair believe that an issue or question falls outside the purview of the School Committee, s/he may request that citizens direct it to the appropriate person or body so that the matter is given proper consideration.

The following process will govern Public Comment and participation at the School Committee meetings.

Public Comment:

The School Committee will have a 15-minute Public Comment section at each regularly scheduled School

Committee meeting according to the following guidelines:

M.G.L c. 30, s. 20F provides, in relevant part, that: "No person shall address a public meeting of a governmental body without permission of the Chair, and all persons shall, at the request of the Chair, be silent." The School Committee Chair will favor those speakers who sign up in advance under the procedure specified below.

1. A sign-up sheet will be available as people enter the meeting, and people will speak in the order in which they sign up, unless more than one person wishes to speak on a single topic, in which case the Chair may call on them together.

2. Any person wishing to speak must identify him or herself by name and address, and specific interest for wishing to speak. The Chair ~~may~~ favor, in no particular order, those speakers who are Brookline residents or, in appropriate circumstances, a Town of Brookline employee, parent, or guardian of a Public Schools of Brookline student, or any Public Schools of Brookline student.

3. There will be a time limit of 5 minutes per person, which will be enforced by the Chair of the meeting. If the number of people wishing to speak exceeds 3, the Chair may, at his/her discretion, limit individual comments to no more than 3 minutes per person. In addition, parents/guardians of children attending the Public Schools of Brookline and Brookline residents shall be given priority. Written comments longer than the permitted time may be presented to the Chair before or after the meeting. All remarks will be addressed through the Chair of the meeting. Comments made during any public comment portion of the meeting do not necessarily reflect the views or positions of the School Committee.

4. The amount of time allocated for the session will be a maximum of 15 minutes provided that the Chair may extend any individual session in his/her discretion.

5. The session will be held at a regular time agreed to by the School Committee.

6. Discussion of individual personnel issues will be prohibited.

7. Votes by the School Committee will not be taken during Public Comment.

8. Responses to concerns will be made only by the Superintendent or Chair of the meeting, or other members, at the Chair's discretion.

9. On those issues that can be resolved by directing citizens to the appropriate staff, the Superintendent or Chair will advise the citizen of appropriate steps to take.

10. The Chair of the meeting, after a warning, reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats that are likely to provoke a violent reaction and cause a breach of the peace, or incitement of imminent lawless conduct, or contains obscenities, may terminate any individual's privilege of address for inappropriate conduct or statement.

Participation Regarding Docketed Items:

In addition to ~~any~~the Public Comment section at each meeting, the public is invited to remain for the whole meeting and may be invited to speak on any docketed issue, at the discretion of the Chair. ~~Should the Chair invite comments on docketed items, s/he will request that citizens in attendance who wish to speak signify as such by raising their hand.~~

Originally approved: 1/26/93, #93-29. Amended: 4/27/93, #93-115; 9/27/94, # 94-80.

Revision approved by Brookline School Committee: 11/3/05, #05-122

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