

# Ipswich Public Schools

## Handbook for SUBSTITUTE TEACHERS & PARAPROFESSIONALS

**Office of the Superintendent**

*“Preparing Life Through Learning”*

**The Town of Ipswich is an Equal Opportunity/Affirmative Action Employer**

**IPSWICH PUBLIC SCHOOLS**

1 Lord Square  
Ipswich, MA 01938  
978-356-2935

To: All Substitute Teachers and Substitute Paraprofessionals

Re: Welcome to the Ipswich Public Schools

Dear Substitute Teacher/Paraprofessional,

I want to take this opportunity to welcome you to the Ipswich Public Schools. As a Substitute in our school system, you play an important role in the delivery of a high quality education to all of our students. I sincerely appreciate your willingness to become part of the Ipswich family of educators and trust that you will have a fulfilling experience.

This handbook is designed to help you understand some of the routines, procedures, and expectations that we have for you. The following pages contain important information about the role and function of substitutes in the Ipswich Public Schools as well as information about payment, confidentiality, and school safety. Please take a few minutes to review the entire document and contact the Human Resources Department if you have any questions or concerns about anything contained in this document.

I look forward to having you work with our students so that we can continue to provide them with the education they deserve.

Sincerely,

Dr. Brian J. Blake  
Superintendent of Schools

**~Welcome~**

**Please read this handbook carefully and bring it with you when you substitute teach. It contains information and guidelines that you may find useful. We appreciate your service to the Ipswich Public Schools.**

**Legal Disclaimer:**

**This handbook is not to be construed as a promise or contract of any kind with Ipswich Public Schools. Ipswich Public Schools retains the right to revise, suspend, or cancel, in whole or part, any of the policies or procedures contained in this handbook, at any time, without notice. It is your responsibility to become familiar with and know all school policies and information contained in this handbook. This handbook is not a contract.**

## **TABLE OF CONTENTS**

|   |           |
|---|-----------|
| <b>School Hours and Contact Information</b>                   | <b>5</b>  |
| <b>No School Procedure</b>                                    | <b>6</b>  |
| <b>Substitute Duties</b>                                      | <b>6</b>  |
| <b>Classroom Strategies</b>                                   | <b>7</b>  |
| <b>Classroom Management</b>                                   | <b>8</b>  |
| <b>Communicating with the Classroom Teacher</b>               | <b>9</b>  |
| <b>Substitute Assignment Procedure Day to Day</b>             | <b>9</b>  |
| <b>Salary</b>   | <b>10</b> |
| <b>Payment of Substitute</b>                                  | <b>10</b> |
| <b>Excessive Unavailability</b>                               | <b>10</b> |
| <b>Mandated Reporting of Suspected Child Abuse or Neglect</b> | <b>10</b> |
| <b>Student Attendance</b>                                     | <b>11</b> |
| <b>Life Threatening Allergies</b>                             | <b>11</b> |
| <b>Emergency Procedures</b>                                   | <b>11</b> |
| <b>Confidentiality</b>  | <b>11</b> |
| <b>Tutors and Aides</b>                                       | <b>12</b> |
| <b>General Information</b>                                    | <b>12</b> |
| <b>A.L.I.C.E information</b>                                  | <b>13</b> |
| <b>Policy and Procedure Acknowledgement</b>                   | <b>14</b> |

**DIRECTORY**

|   |  |  |
|---|--|--|
| <b>Central Administration</b><br>1 Lord Square, Ipswich<br>Hours:<br>8:00am-4:00pm M-F                  | Dr. Brian J. Blake, Superintendent   | 978-356-2935 X1111                       |
|   | Laura Hillery, Confidential Executive Secretary to the Superintendent            | 978-356-2935 X1111                       |
|   | Dr. Beverly Hegedus, Director of Pupil Personnel Services                        | 978-356-2935 X1110                       |
|   | Heidi Kent, PPS Administrative Assistant & Special Ed Transportation Coordinator | 978-356-2935 X1110                       |
|   | Tracy Wagner, Director of Teaching & Learning                                    | 978-356-2935 X1116                       |
|   | Nicole Dziadosze, Receptionist/Secretary to Director of Teaching & Learning      | 978-356-2935, X1112                      |
|   | Joanne Cuff, Director of Finance & Operations                                    | 978-356-2935 X1117                       |
|   | Janet Higgins, Accounts Payable Associate  | 978-356-2935 X1118                       |
|   | Liz Valentine, Payroll   | 978-356-2935 X1114                       |
|   | Human Resources  | 978-356-6602                             |
| <b>Ipswich High School</b><br>134 High Street<br>Hours:<br>7:45am-2:21pm M,T,W,F<br>7:45-1:17 Th        | Jonathan Mitchell, Principal<br>Jeff Carovillano, Assistant Principal            | 978-356-3137                             |
|   | Deb Burgess, Administrative Assistant  | 978-356-3137 X2145                       |
|   | Lisa Kennedy, Secretary<br>Cheryl Scibisz, Guidance Office Secretary             | 978-356-3137 X2101<br>978-356-3137 X2147 |
|   | Meg Finnegan, Special Ed Program Manager   | 978-356-3137 X2177                       |
| <b>Ipswich Middle School</b><br>130 High Street<br>Hours:<br>7:45-2:21 M,T,W,F<br>7:45-1:17 Th          | Kathy McMahon, Principal<br>Sean Fitzgerald, Assistant Principal                 | 978-356-3535                             |
|   | Eileen Young, Administrative Assistant   | 978-356-3535 X2163                       |
|   | Katie Henderson, Secretary<br>Cheryl Scibisz, Guidance Office Secretary          | 978-356-3535 X2104<br>978-356-3535 X2147 |
|   | Jackie Potter, Special Ed Program Manager  | 978-356-3535 X2176                       |
| <b>Winthrop Elementary School</b><br>65 Central Street<br>Hours:<br>8:40 – 3:05 M,T,W,F<br>8:40-1:50 Th | Sheila McAdams, Principal  | 978-356-2976                             |
|   | Kate McCormick, Administrative Assistant   | 978-356-2976 X301                        |
|   | Jeanne Vlahos, Secretary   | 978-356-2976 X333                        |
|   | Margaret Madeiros, Special Ed Program Manager                                    | 978-356-2976 X344                        |
| <b>Doyon Elementary School</b><br>216 Linebrook Road<br>Hours:<br>8:40 – 3:05 M,T,W,F<br>8:40-1:50 Th   | Sheila Halloran, Principal   | 978-356-5506                             |
|   | Rene Costoplus, Administrative Assistant   | 978-356-5506 X114                        |
|   | Amy Digby, Secretary   | 978-356-5506 X100                        |
|   | Elyssa Brand, Special Ed Program Manager   | 978-356-5506 X200                        |

## NO SCHOOL PROCEDURES

“No School” and “Delayed Opening” notices are broadcast on local television stations WBZ-TV-4, WCVB-TV-5, BOSTON-25 and can be found on our website at [www.ipsk12.net](http://www.ipsk12.net).

## SUBSTITUTE TEACHER DUTIES

Unless otherwise directed, a substitute should:

- 1) Arrive at least fifteen minutes before school starts.
- 2) Report directly to the main office to identify yourself and receive any specific instructions for the day as well as procedures for payment (time sheet, check-in). *Each school has its own substitute procedures regarding classroom management, expectations, etc.*
- 3) Familiarize yourself with the area(s) outside of the classroom to which you are assigned and the emergency procedures (refer to the section below).
- 5) Locate the sub folder and be sure to follow the lesson plans explicitly.
- 6) Review the teacher’s instructions for information on schedule and lesson plans, making sure you have all necessary provisions. **Lesson plans should be followed unless you are otherwise instructed.**
- 7) Check the sub folder for any health issues in the classroom and contact the school nurse if you have any questions.
- 8) Stay appropriately engaged with students at all times.
- 9) Substitutes should expect good behavior from all students. Follow the discipline procedures mandated by each school.
- 10) Do not leave the classroom unattended.
- 11) If a student becomes ill or has an accident, or if an emergency situation arises, seek assistance from the teacher in the next room and contact the main office and the nurse’s office immediately. Students should not be left alone in the classroom at any time.
- 12) Do not leave the building without notifying the main office.

Report to the main office to sign out at the visitor log and communicate as necessary with the principal or administrative assistant. Please inform the office of any problems you encountered during the day.

## **CLASSROOM MANAGEMENT TIPS**

- ✓ Maintain an orderly classroom and follow the behavior management plan of the school.
- ✓ Exercise good judgment in the maintenance of a positive learning environment.
- ✓ It is the responsibility of the substitute to find out what each school's policies and procedures are for dealing with discipline problems BEFORE administering any form of discipline.
- ✓ All serious discipline problems are to be referred to the school designee, which in most cases is the principal or assistant principal.
- ✓ A note to the teacher is required at any time it is necessary to discipline a student or if the student has been a disruptive factor in the classroom that day.
- ✓ Treat all students in a fair manner and refrain from making threats or statements to students that cannot be followed through.
- ✓ Be responsive to parent contact should it occur, but leave parent conferences to the regular teacher or school principal.
- ✓ **ALWAYS** ask for help if you are in doubt when handling any situation. The school will support you in solving problems.

## **COMMUNICATING WITH THE CLASSROOM TEACHER**

Please leave detailed notes for the teacher, including:

- ✓ work completed by the class in all subject areas;
- ✓ assignments given for the following day in accordance with the teacher's lesson plan;
- ✓ a general conduct report that includes any pupil whose lack of cooperation should be called to the attention of the regular teacher, remembering that teachers and administrators do appreciate also having reports on pupils who have performed exceptionally well in any area; and
- ✓ be sure that all reports that are left in the teacher's substitute folder at the end of the school day or with other papers or information from the day.

## **ASSIGNMENT PROCEDURE FOR SUBSTITUTE TEACHERS**

All individuals have the right to say they are unavailable on any day that they are called. If they refuse an assignment, the substitute caller moves on to the next name on the list. The need for substitutes varies greatly from day to day. Placement on the substitute list does not entitle or guarantee an individual employment as a substitute teacher.

**If you are no longer available to be a substitute teacher,  
please call Human Resources Department at  
978-356-6602.**

## **PAYMENT FOR SERVICES**

Each school has its own procedure regarding payment documentation. Please check in with the office at the conclusion of each day worked. Payroll is on a bi-weekly basis. If you have any questions or concerns please contact the payroll department at 978-356-6601.

## **EXCESSIVE UNAVAILABILITY**

Excessive unavailability may result in removal from the substitute list.

## **MANDATED REPORTING OF SUSPECTED CHILD ABUSE OR NEGLECT**

Under Massachusetts law (M.G.L. c. 119 § 51A), the Department of Children and Families (DCF) is the state agency that receives all reports of suspected abuse and/or neglect of children under the age of 18. State law requires professionals whose work brings them in contact with children to immediately notify DCF if they suspect that a child is being abused and/or neglected. Any mandated reporter who fails to make required oral and written reports can be punished by a fine of up to \$1,000.

Under § 51A a school employee who believes that a child is abused or neglected can satisfy her/his legal obligation to make a Department of Children and Families report by reporting the concern at once to the person in charge of the school where the employee works. Therefore, any Ipswich Public Schools employee who believes that a student in one of the district's schools or programs is or may be the victim of abuse or neglect should immediately report that concern to the principal or program supervisor under whose direction that employee works.

The telephone number to call (day or night) when reporting suspected child abuse and neglect is:

**1-800-792-5200**



## **STUDENT ATTENDANCE**

It is imperative that substitute teachers take attendance each period and keep an accurate account of student attendance.

## **LIFE THREATENING ALLERGIES**

You must review the sub folder for student's individual health care plan. At the elementary level, the school nurse will provide further consultation about any student in your class with life threatening allergies. **Do not provide any food or candy to students.**

## **EMERGENCY PROCEDURES**

Each classroom has a clipboard with emergency procedures attached. You must familiarize yourself with established emergency procedures and if there is confusion, please check in with another teacher or Administration.

## **FIRE DRILLS**

Fire drills are enforced by state school law and the School Committee. Specific instructions are posted in each room. Exit quickly, quietly, and in an orderly manner. The first students arriving at the outside doors should hold them open for the rest of the student body. Multiple fire drills will be held each year. The penalty for pulling false alarms is potential expulsion.

## **CONFIDENTIALITY**

Definition of Confidentiality:

Confidentiality is the obligation not to disclose willingly any personal information obtained by any means about another person. Confidentiality is based on four (4) basic principles:

- ✓ Respect for an individual's right to privacy
- ✓ Respect for human relationship in which personal information is shared
- ✓ Appreciation of the importance of confidentiality to both individuals & society
- ✓ Expectations that those who pledge to safeguard confidential information will do so.

Confidentiality laws required in schools:

Confidentiality is guaranteed to all students through the Family Education Rights Privacy Act (1974). This law applies to all schools in the United States that receive federal funding and covers students from age 3 to any person enrolled in college. This law is reinforced by the Individuals with Disabilities Education Act (1991), which protects parents and their children with disabilities, ages 3-21.

### Responsibility for ensuring the confidentiality of student records & information:

Any employee of a public school district has the responsibility to ensure the trust and protections of confidentiality from Bus Driver to Superintendent.

### Confidential information:

Information including but not limited to test scores, personal problems of students and co-workers, counseling data, student records, student progress, student scheduling, disciplinary actions, etc. should not be shared. In short, information that you learn about a co-worker, child, or other child's family as a result of working in the school is confidential.

### Sharing of personal information:

Information may be shared with co-workers who directly affect the advancement of the education of the child or with agencies concerned with the child's welfare. This would also include supervising staff and administration. Information should be shared in private spaces where it is unlikely staff will be overheard by other children or adults. Teachers have the professional responsibility to act in the best interest of the student when making decisions to divulge confidential information.

### A substitute should:

- ✓ advise the administration;
- ✓ know the pertinent laws and expectations;
- ✓ be accountable for all decisions regarding the student;
- ✓ above all, act professionally;
- ✓ avoid any language (verbal or non-verbal) or activity that may be deemed inappropriate for a public school classroom;
- ✓ under no circumstances administer corporal punishment or physical force in dealing with student discipline and/or demonstrate affection in physical ways;
- ✓ not use teacher or school computers, unless given permission by the teacher or administration;
- ✓ NEVER smoke on school premises as it is against Massachusetts law;
- ✓ refrain from using personal cell phones during classroom time unless it is an emergency; and
- ✓ be sure to never be alone with a student.

## **TEACHING ASSISTANTS & SPECIALISTS**

In order to meet the needs of all students, some classes have aides or tutors to assist students with special needs and/or accommodation plans. They may also be able to help with other students depending on the caseload in that individual class. It will be noted in the teachers' plans if someone is coming into the classroom to support students.

## **GENERAL INFORMATION**

### LUNCH

Each school has a hot lunch program and you are welcome to purchase lunch at the school cafeteria.

### PARKING

Parking for all schools is limited. It is advised that you arrive as early as possible and park in a designated area. Please do not park in spaces designated for visitors.

### CELL PHONES

Personal cell phones are not to be used at any time when a substitute is working in the classroom and/or students are present.

### Notes

## A.L.I.C.E.

The A.L.I.C.E. model is designed to give you an options-based response to a serious threat inside or out of the building. The model is not designed to be linear. You will use which ever response is best for your particular situation. There is no wrong response and be prepared to change your response because these incidents are fluid and always changing. F o r example, if you choose to lockdown and the adjacent classroom decided to evacuate neither of you are wrong. If you would like additional information on the A.L.I.C.E. model and how it will apply to you when you are in the building please email Officer Joe Perna, School Resource Officer, at [jperna@ipsk12.net](mailto:jperna@ipsk12.net).

1. **ALERT**- use any and all means; text, PA system, bells, sensory inputs, etc. to provide intel to as many people as possible
2. **LOCKDOWN**- barricade (be a harder target), once lockdown is in effect no one should be allowed into your secure room under any circumstances other than a uniformed police officer.
3. **INFORM**- real time information as possible will be provided by all means possible
4. **COUNTER**- engage in acts that will require a very high skill level to be disrupted. This can be done by making noise, movement, creating distance and distractions
5. **ESCAPE**- if the threat is inside the building get outside if safe to do so. If the threat is outside the building get inside the building as quickly as possible.



# Ipswich Public Schools

---

**Dr. Brian J. Blake**  
Superintendent of Schools

One Lord Square  
Ipswich, MA 01938  
[www.ipsk12.net](http://www.ipsk12.net)  
Phone 978-356-2935  
Fax 978-356-0445  
[bblake@ipsk12.net](mailto:bblake@ipsk12.net)

## NONDISCRIMINATION STATEMENT

The Ipswich School Committee and the Ipswich Public Schools are committed to maintaining a school environment free of discrimination and harassment based on race, color, national origin, ethnicity, religion, sex/gender, age, handicap or disability, sexual orientation, military or veteran status, genetic information, marital status, gender identity, homelessness, and any other protected class under state and federal law. The Ipswich School Committee and the Ipswich Public Schools will not tolerate discrimination or harassment in any of its schools or work locations, including but not limited to any school programs, services or activities. We are committed to making reasonable efforts to ensure an environment free from discrimination or harassment.

The school committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; and will apply regardless of race, color, national origin, ethnicity, religion, sex/gender, age, handicap or disability, sexual orientation, military or veteran status, genetic information, marital status, gender identify, homelessness, and any other protected class under state and federal law.

The following person has been designated to handle inquiries regarding nondiscrimination policies:

Dr. Beverly Hegedus  
Director of Pupil Personnel Services  
Payne School Building  
1 Lord Square  
Ipswich, MA 01938  
Phone: 978-356-2935

Inquiries concerning the application of nondiscrimination policies may also be referred to:

Office for Civil Rights, Region 1  
U.S. Department of Health and Human Services Government Center  
J.F. Kennedy Building Room 1875  
Boston, MA 02203  
Phone: 617-565-1340  
Fax: 617-656-3809

# Summary of the Conflict of Interest Law for Municipal Employees

---

This summary of the conflict of interest law, General Laws chapter 268A, is intended to help municipal employees understand how that law applies to them. This summary is not a substitute for legal advice, nor does it mention every aspect of the law that may apply in a particular situation. Municipal employees can obtain free confidential advice about the conflict of interest law from the Commission's Legal Division at our website, phone number, and address above. Municipal counsel may also provide advice.

The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what municipal employees may do on the job, after hours, and after leaving public service, as described below. The sections referenced below are sections of G.L. c. 268A.

When the Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to \$10,000 (\$25,000 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage he gained by the violation, and to make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

## *I. Are you a municipal employee for conflict of interest law purposes?*

You do not have to be a full-time, paid municipal employee to be considered a municipal employee for conflict of interest purposes. Anyone performing services for a city or town or holding a municipal position, whether paid or unpaid, including full- and part-time municipal employees, elected officials, volunteers, and consultants, is a municipal employee under the conflict of interest law. An employee of a private firm can also be a municipal employee, if the private firm has a contract with the city or town and the employee is a "key employee" under the contract, meaning the town has specifically contracted for her services. The law also covers private parties who engage in impermissible dealings with municipal employees, such as offering bribes or illegal gifts. Town meeting members and charter commission members are not municipal employees under the conflict of interest law.

## *II. On-the-job restrictions.*

**(a) Bribes. Asking for and taking bribes is prohibited. (See Section 2)**

A bribe is anything of value corruptly received by a municipal employee in exchange for the employee being influenced in his official actions. Giving, offering, receiving, or asking for a bribe is illegal.

Bribes are more serious than illegal gifts because they involve corrupt intent. In other words, the municipal employee intends to sell his office by agreeing to do or not do some official act, and the giver intends to influence him to do so. Bribes of any value are illegal.

**(b) Gifts and gratuities. Asking for or accepting a gift because of your official position, or because of something you can do or have done in your official position, is prohibited. (See Sections 3, 23(b)(2), and 26)**

Municipal employees may not accept gifts and gratuities valued at \$50 or more given to influence their official actions or because of their official position. Accepting a gift intended to reward past official action or to bring about future official action is illegal, as is giving such gifts. Accepting a gift given to you because of the municipal position you hold is also illegal. Meals, entertainment event tickets, golf, gift baskets, and payment of travel expenses can all be illegal gifts if given in connection with official action or position, as can anything worth \$50 or more. A number of smaller gifts together worth \$50 or more may also violate these sections.

*Example of violation:* A town administrator accepts reduced rental payments from developers.

*Example of violation:* A developer offers a ski trip to a school district employee who oversees the developer's work for the school district.

**Regulatory exemptions.** There are situations in which a municipal employee's receipt of a gift does not present a genuine risk of a conflict of interest, and may in fact advance the public interest. The Commission has created exemptions permitting giving and receiving gifts in these situations. One commonly used exemption permits municipal employees to accept payment of travel-related expenses when doing so advances a public purpose. Another commonly used exemption permits municipal employees to accept payment of costs involved in attendance at educational and training programs. Other exemptions are listed on the Commission's website.

*Example where there is no violation:* A fire truck manufacturer offers to pay the travel expenses of a fire chief to a trade show where the chief can examine various kinds of fire-fighting equipment that the town may purchase. The chief fills out a disclosure form and obtains prior approval from his appointing authority.

*Example where there is no violation:* A town treasurer attends a two-day annual school featuring multiple substantive seminars on issues relevant to treasurers. The annual school is

paid for in part by banks that do business with town treasurers. The treasurer is only required to make a disclosure if one of the sponsoring banks has official business before her in the six months before or after the annual school.

**(c) Misuse of position. Using your official position to get something you are not entitled to, or to get someone else something they are not entitled to, is prohibited. Causing someone else to do these things is also prohibited. (See Sections 23(b)(2) and 26)**

A municipal employee may not use her official position to get something worth \$50 or more that would not be properly available to other similarly situated individuals. Similarly, a municipal employee may not use her official position to get something worth \$50 or more for someone else that would not be properly available to other similarly situated individuals. Causing someone else to do these things is also prohibited.

*Example of violation:* A full-time town employee writes a novel on work time, using her office computer, and directing her secretary to proofread the draft.

*Example of violation:* A city councilor directs subordinates to drive the councilor's wife to and from the grocery store.

*Example of violation:* A mayor avoids a speeding ticket by asking the police officer who stops him, "Do you know who I am?" and showing his municipal I.D.

**(d) Self-dealing and nepotism. Participating as a municipal employee in a matter in which you, your immediate family, your business organization, or your future employer has a financial interest is prohibited. (See Section 19)**

A municipal employee may not participate in any particular matter in which he or a member of his immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. He also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee has a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else.

A financial interest may create a conflict of interest whether it is large or small, and positive or negative. In other words, it does not matter if a lot of money is involved or only a little. It also does not matter if you are putting money into your pocket or taking it out. If you, your immediate family, your business, or your employer have or has a financial interest in a matter, you may not participate. The financial interest must be direct and immediate or



reasonably foreseeable to create a conflict. Financial interests which are remote, speculative or not sufficiently identifiable do not create conflicts.

***Example of violation:*** A school committee member's wife is a teacher in the town's public schools. The school committee member votes on the budget line item for teachers' salaries.

***Example of violation:*** A member of a town affordable housing committee is also the director of a non-profit housing development corporation. The non-profit makes an application to the committee, and the member/director participates in the discussion.

***Example:*** A planning board member lives next door to property where a developer plans to construct a new building. Because the planning board member owns abutting property, he is presumed to have a financial interest in the matter. He cannot participate unless he provides the State Ethics Commission with an opinion from a qualified independent appraiser that the new construction will not affect his financial interest.

In many cases, where not otherwise required to participate, a municipal employee may comply with the law by simply not participating in the particular matter in which she has a financial interest. She need not give a reason for not participating.

There are several exemptions to this section of the law. An appointed municipal employee may file a written disclosure about the financial interest with his appointing authority, and seek permission to participate notwithstanding the conflict. The appointing authority may grant written permission if she determines that the financial interest in question is not so substantial that it is likely to affect the integrity of his services to the municipality. Participating without disclosing the financial interest is a violation. Elected employees cannot use the disclosure procedure because they have no appointing authority.

***Example where there is no violation:*** An appointed member of the town zoning advisory committee, which will review and recommend changes to the town's by-laws with regard to a commercial district, is a partner at a company that owns commercial property in the district. Prior to participating in any committee discussions, the member files a disclosure with the zoning board of appeals that appointed him to his position, and that board gives him a written determination authorizing his participation, despite his company's financial interest. There is no violation.

There is also an exemption for both appointed and elected employees where the employee's task is to address a matter of general policy and the employee's financial interest is shared with a substantial portion (generally 10% or more) of the town's population, such as, for instance, a financial interest in real estate tax rates or municipal utility rates.

**Regulatory exemptions.** In addition to the statutory exemptions just mentioned, the Commission has created several regulatory exemptions permitting municipal employees to participate in particular matters notwithstanding the presence of a financial interest in certain very specific situations when permitting them to do so advances a public purpose. There is

an exemption permitting school committee members to participate in setting school fees that will affect their own children if they make a prior written disclosure. There is an exemption permitting town clerks to perform election-related functions even when they, or their immediate family members, are on the ballot, because clerks' election-related functions are extensively regulated by other laws. There is also an exemption permitting a person serving as a member of a municipal board pursuant to a legal requirement that the board have members with a specified affiliation to participate fully in determinations of general policy by the board, even if the entity with which he is affiliated has a financial interest in the matter. Other exemptions are listed in the Commission's regulations, available on the Commission's website.

*Example where there is no violation:* A municipal Shellfish Advisory Board has been created to provide advice to the Board of Selectmen on policy issues related to shellfishing. The Advisory Board is required to have members who are currently commercial fishermen. A board member who is a commercial fisherman may participate in determinations of general policy in which he has a financial interest common to all commercial fishermen, but may not participate in determinations in which he alone has a financial interest, such as the extension of his own individual permits or leases.

**(e) False claims. Presenting a false claim to your employer for a payment or benefit is prohibited, and causing someone else to do so is also prohibited. (See Sections 23(b)(4) and 26)**

A municipal employee may not present a false or fraudulent claim to his employer for any payment or benefit worth \$50 or more, or cause another person to do so.

*Example of violation:* A public works director directs his secretary to fill out time sheets to show him as present at work on days when he was skiing.

**(f) Appearance of conflict. Acting in a manner that would make a reasonable person think you can be improperly influenced is prohibited. (See Section 23(b)(3))**

A municipal employee may not act in a manner that would cause a reasonable person to think that she would show favor toward someone or that she can be improperly influenced. Section 23(b)(3) requires a municipal employee to consider whether her relationships and affiliations could prevent her from acting fairly and objectively when she performs her duties for a city or town. If she cannot be fair and objective because of a relationship or affiliation, she should not perform her duties. However, a municipal employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.

*Example where there is no violation:* A developer who is the cousin of the chair of the conservation commission has filed an application with the commission. A reasonable person could conclude that the chair might favor her cousin. The chair files a written disclosure with her appointing authority explaining her relationship with her cousin prior to the meeting at which the application will be considered. There is no violation of Sec. 23(b)(3).

**(g) Confidential information. Improperly disclosing or personally using confidential information obtained through your job is prohibited. (See Section 23(c))**

Municipal employees may not improperly disclose confidential information, or make personal use of non-public information they acquired in the course of their official duties to further their personal interests.

### III. After-hours restrictions.

**(a) Taking a second paid job that conflicts with the duties of your municipal job is prohibited. (See Section 23(b)(1))**

A municipal employee may not accept other paid employment if the responsibilities of the second job are incompatible with his or her municipal job.

*Example:* A police officer may not work as a paid private security guard in the town where he serves because the demands of his private employment would conflict with his duties as a police officer.

**(b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether or not you are paid. (See Sec. 17)**

Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the town has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman.

A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

***Example of violation:*** A full-time health agent submits a septic system plan that she has prepared for a private client to the town's board of health.

***Example of violation:*** A planning board member represents a private client before the board of selectmen on a request that town meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the town or receive small stipends. Others, such as a private attorney who provides legal services to a town as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees.

The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in towns of 10,000 or fewer are automatically "special"; selectman in larger towns cannot be "specials."

If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility.

***Example:*** A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

***Example:*** A member who sits as an alternate on the conservation commission is a special municipal employee. Under town by-laws, he only has official responsibility for matters

assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it.

**(c) Inside track. Being paid by your city or town, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 20)**

A municipal employee generally may not have a financial interest in a municipal contract, including a second municipal job. A municipal employee is also generally prohibited from having an indirect financial interest in a contract that the city or town has with someone else. This provision is intended to prevent municipal employees from having an “inside track” to further financial opportunities.

*Example of violation:* Legal counsel to the town housing authority becomes the acting executive director of the authority, and is paid in both positions.

*Example of violation:* A selectman buys a surplus truck from the town DPW.

*Example of violation:* A full-time secretary for the board of health wants to have a second paid job working part-time for the town library. She will violate Section 20 unless she can meet the requirements of an exemption.

*Example of violation:* A city councilor wants to work for a non-profit that receives funding under a contract with her city. Unless she can satisfy the requirements of an exemption under Section 20, she cannot take the job.

There are numerous exemptions. A municipal employee may hold multiple unpaid or elected positions. Some exemptions apply only to special municipal employees. Specific exemptions may cover serving as an unpaid volunteer in a second town position, housing-related benefits, public safety positions, certain elected positions, small towns, and other specific situations. Please call the Ethics Commission’s Legal Division for advice about a specific situation.

#### **IV. After you leave municipal employment. (See Section 18)**

**(a) Forever ban. After you leave your municipal job, you may never work for anyone other than the municipality on a matter that you worked on as a municipal employee.**

If you participated in a matter as a municipal employee, you cannot ever be paid to work on that same matter for anyone other than the municipality, nor may you act for someone else,

whether paid or not. The purpose of this restriction is to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to their former municipal employer. The restriction does not prohibit former municipal employees from using the expertise acquired in government service in their subsequent private activities.

*Example of violation:* A former school department employee works for a contractor under a contract that she helped to draft and oversee for the school department.

**(b) One year cooling-off period. For one year after you leave your municipal job you may not participate in any matter over which you had official responsibility during your last two years of public service.**

Former municipal employees are barred for one year after they leave municipal employment from personally appearing before any agency of the municipality in connection with matters that were under their authority in their prior municipal positions during the two years before they left.

*Example:* An assistant town manager negotiates a three-year contract with a company. The town manager who supervised the assistant, and had official responsibility for the contract but did not participate in negotiating it, leaves her job to work for the company to which the contract was awarded. The former manager may not call or write the town in connection with the company's work on the contract for one year after leaving the town.

A former municipal employee who participated as such in general legislation on expanded gaming and related matters may not become an officer or employee of, or acquire a financial interest in, an applicant for a gaming license, or a gaming licensee, for one year after his public employment ceases.

**(c) Partners. Your partners will be subject to restrictions while you serve as a municipal employee and after your municipal service ends.**

Partners of municipal employees and former municipal employees are also subject to restrictions under the conflict of interest law. If a municipal employee participated in a matter, or if he has official responsibility for a matter, then his partner may not act on behalf of anyone other than the municipality or provide services as an attorney to anyone but the city or town in relation to the matter.

*Example:* While serving on a city's historic district commission, an architect reviewed an application to get landmark status for a building. His partners at his architecture firm may not prepare and sign plans for the owner of the building or otherwise act on the owner's behalf in relation to the application for landmark status. In addition, because the architect has official responsibility as a commissioner for every matter that comes before the commission, his partners may not communicate with the commission or otherwise act on behalf of any client on any matter that comes before the commission during the time that the architect serves on the commission.

**Example:** A former town counsel joins a law firm as a partner. Because she litigated a lawsuit for the town, her new partners cannot represent any private clients in the lawsuit for one year after her job with the town ended.

\* \* \* \* \*

This summary is not intended to be legal advice and, because it is a summary, it does not mention every provision of the conflict law that may apply in a particular situation. Our website, [www.mass.gov/orgs/state-ethics-commission](http://www.mass.gov/orgs/state-ethics-commission), contains further information about how the law applies in many situations. You can also contact the Commission's Legal Division via our website, by telephone, or by letter. Our contact information is at the top of this document.

Version 7: Revised November 14, 2016.

\* \* \* \* \*

**ACKNOWLEDGMENT OF RECEIPT**

I, \_\_\_\_\_, an employee at \_\_\_\_\_  
*(first and last name)* *(name of municipal dept.)*

**hereby acknowledge that I received a copy of the summary of the conflict of interest law  
for municipal employees, revised November 14, 2016, on \_\_\_\_\_.**  
*(date)*

The Massachusetts Ethics Reform Law of 2009 requires all Town of Ipswich employees and members of Town Committees and Boards to review and acknowledge receipt of the enclosed Conflict of Interest Summary within 30 days of hire, and then annually. Please send the signed bottom part of this letter to Leah Niska at [leahn@ipswichma.gov](mailto:leahn@ipswichma.gov). A copy of the receipt will be filed with the Town Clerk in compliance with the Ethics Law.



**IPSWICH PUBLIC SCHOOLS**

**SUBSTITUTE TEACHER & PARAPROFESSIONAL HANDBOOK  
RECEIPT ACKNOWLEDGEMENT**

I understand that I have received a paper copy and have access to the Substitute Teacher and Paraprofessional Handbook online at [www.ipsk12.net](http://www.ipsk12.net). I further understand that it is my responsibility to read the handbook and become familiar with its contents.

I understand that nothing contained in the Substitute Teacher and Paraprofessional Handbook constitutes any employment contract with the Ipswich Public Schools. Nothing contained in said handbook is to interfere with any rights or benefits protected by law.

I understand that I am responsible for complying with the policies, rules, and procedures set forth in the Substitute Teacher and Paraprofessional Handbook, as amended and supplemented by Ipswich Public Schools.

**ELECTRONIC COMMUNICATION OWNERSHIP  
ACKNOWLEDGEMENT**

I understand that all Ipswich Public Schools electronic and telephonic communication systems (i.e., voicemail, telephones, internet, computers, fax machines, e-mail, etc.) and all information transmitted by, received from, or stored in those systems are the property of Ipswich Public Schools. I also understand that these systems are to be used primarily for job-related purposes. Although limited personal use of these systems is authorized provided it does not interfere with the substitute's work or business of Ipswich Public Schools, I acknowledge that I have no expectation of privacy in connection with the use of these systems or transmission, receipt, or storage of information on these systems.

I agree not to use a code, access a file, or retrieve any stored communication on these systems unless authorized by the Ipswich Public Schools. I acknowledge and consent to Ipswich Public School monitoring my use of these systems at any time and at its discretion. Such monitoring may include printing and reading all e-mail entering, leaving, or stored in Ipswich Public Schools systems.

---

Signature

Print Name

Date

***The original must be returned to Human Resources Department at the Ipswich Town Hall or email a signed copy to [maryg@ipswichma.gov](mailto:maryg@ipswichma.gov)***