

Belmont - 8001

MASC - BB

School Committee Legal Status

The School Committee is the governing board of the municipality of Belmont's Public Schools. Although it functions as a duly elected Committee of municipal government, the School Committee has, unlike other municipal boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

The Belmont School Committee, pursuant to the Bylaws of the Town of Belmont, is composed of six (6) members nominated and elected at large by the voters of Belmont for overlapping terms of three (3) years. In addition, the chair of the Student Advisory Committee elected annually at Belmont High School, is an ex officio, nonvoting member of the School Committee pursuant to M G L c. 71 section 38M.

LEGAL REFS.:

M.G.L. 41:1 and 71:37 specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFERENCES:

AA, School District Legal Status

BBA, School Committee Powers and Duties

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School Committee Member Qualifications and Oath of Office

Any registered voter in the Town of Belmont is eligible to hold the office of School Committee member and must take an oath of office as required by law.

Each new member will present to the Committee secretary official certification of having sworn the oath before an officer duly qualified to administer oaths prior to entering on their official duties as a member of the Committee.

From the Municipal or District Clerk, newly qualified Committee members, by law, receive, and sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

As elected public officials School Committee members are classified as “Municipal Employees” for purposes of Massachusetts General Laws, Chapter 268A, the State’s Conflict of Interest Law, and are bound by the provisions of that statute.

Newly qualified Committee members shall, by law, receive and sign a receipt for, within 30 days of taking office, a copy of the Massachusetts Ethics Commission’s Summary of the Conflict of Interest laws.

As municipal employees, all School Committee members shall receive a copy of said summary annually. All School Committee members shall, within 30 days of taking office, and every 2 years thereafter, complete the Massachusetts Ethics Commission’s online training program. Upon completion of the online training program, members shall provide notice of such completion to be retained for 6 years by the Municipal or District Clerk.

LEGAL REFERENCE:

M.G.L. 30A:20; 41:1; 41:107; 76:5; 268A:27-28;

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School Committee Member Resignation**

A School Committee member may resign by delivering a written resignation to the Town Clerk with copies to the Chairperson of the School Committee and the Superintendent. Such resignation is effective upon receipt unless some other date, not to exceed 60 days from the date of submission, is specified. A School Committee member who moves from Belmont, resigns, becomes incapacitated or otherwise becomes disqualified during such member's term is deemed to have vacated the office.

LEGAL REFERENCE:
M.G.L. 41:2; 41:109
Belmont town by-law

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Unexpired Term Fulfillment

A vacancy on the School Committee is filled by the remaining members of the School Committee and the Belmont Board of Selectmen in accordance with the provisions of MGL 41:11.

As provided in the law, the School Committee will notify the Select Board that a vacancy has been created within 30 days after it has occurred. After one week's notice has been given by the Committee to the Select Board, so that voters of the municipality may have the opportunity to state their candidacy, the two governing bodies will meet to fill the vacancy by roll call vote.

For an election to fill a vacancy, a candidate must receive a majority of the votes of the officers entitled to vote. The person so elected will fill the seat on the Committee until the next town election, at which time a member will be elected to serve the remainder of the term, if any.

LEGAL REFERENCE:
M.G.L. 41:11