



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**AA**

**SCHOOL DISTRICT LEGAL STATUS**

The Masconomet Regional School District was organized, pursuant to Chapter 71 of the General Laws of the Commonwealth of Massachusetts, under an Agreement signed among the Towns of Boxford, Middleton and Topsfield and subsequently approved and amended by voters of these member towns.

The School District shall act in accordance with this agreement and those amendments which may be made to it.

LEGAL REFERENCE: Constitution of Massachusetts, Part II, Chapter V, Section II,  
M.G.L. 71:1

Historical note:

Massachusetts has the oldest public school system in the nation. Dating back to 1647, the laws of the Massachusetts Bay Colony required towns to provide for a program of public education.

*Adopted: 9/15/71*

*Revised: 6/21/00, 12/3/08*

*Reviewed: 11/5/14*

*Next Review: November 2019*



## **Masconomet Regional School District**

*Serving Boxford, Middleton & Topsfield*

### **Policy of the School Committee**

**AB**

#### **THE PEOPLE AND THEIR SCHOOL DISTRICT**

The Masconomet Regional School Committee is responsible for implementing statutory requirements pertaining to public education. It is also responsible for determining and responding to Masconomet Regional School District residents' expectations for the education of their youth.

At the same time, when citizens elect delegates to represent them in the conduct of public education, those representatives retain the authority and responsibility to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out their responsibilities.

The Masconomet Regional School Committee therefore affirms and declares its intent to:

- Maintain two-way communications with the citizens of Boxford, Middleton and Topsfield. The public will be kept informed of the progress and problems of the school system, and citizens will be urged to bring their hopes for and expectations of their public schools to the attention of this body, which they have chosen to represent them in the management of public education.
- Establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this Committee will be made with priority given to the purposes set forth, most crucial of which is delivering the best possible education to the children enrolled in our schools.
- Act as a truly representative body for members of the community in matters involving public education. The Masconomet Regional School Committee recognizes that ultimate responsibility for public education rests with the state, but individual school committees have been assigned specific authority through state law. The Masconomet Regional School Committee retains and exercises this authority, because it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

*Original Adoption: 9/21/05*

*Adoption: 12/3/08*

*Reviewed: 10/16/13*

*Next Review: November 2019*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**AC**

**NONDISCRIMINATION**

Public schools have the responsibility, wherever possible, to overcome barriers that prevent children from achieving their potential. The Masconomet Regional School District is committed to this goal, including a specific commitment to combat discrimination. This commitment is affirmed in the following statements of Masconomet Regional School Committee intent:

- To promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, pertinent legislation, and applicable judicial interpretations.
- To encourage positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics, and who come from various socioeconomic, racial, religious, and ethnic groups.
- To work toward a more integrated society, and to enlist the support of individuals, groups, and agencies, both private and governmental, in such an effort.
- To use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
- To carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
- To initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with who it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, sexual orientation, religion, national origin, or disability. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation or disability, their complaint should be registered with the Title IX compliance officer.

The Masconomet Regional School District does not discriminate on the basis of race, color, sex, gender identity, sexual orientation, religion, national origin, age, gender, or disability in admission to, access to, employment in, or treatment in its programs and activities.

The Coordinator for Title IX of the Education Amendments of 1972 and the Coordinators for Section 504 of the Rehabilitation Act of 1973 and Chapter 622 of the Acts of 1971 can be reached at Masconomet Regional School District, 20 Endicott Road, Boxford, MA 01921, (978) 887-2323 ext.6111.

Inquiries regarding the application of the Masconomet Regional Schools' nondiscrimination policy may be referred to the Superintendent, or the Assistant Secretary for Civil Rights, U.S. Department of Education, Washington, D.C. 20202 (or the Regional Director, U.S. Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02110-1491

LEGAL REF: Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972  
Executive Order 11246, as amended by E.O. 11375  
Equal Pay Act, as amended by the Education Amendments of 1972  
Title IX, Education Amendments of 1972  
Rehabilitation Act of 1973  
Education For All Handicapped Children Act of 1975  
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)  
M.G.L. 76:5; Amended 1993  
M.G.L.76:16 (Chapter 622 of the Acts of 1971)  
Board of Education 603 CMR 26:00  
*Board of Education 603 CMR 28:00*

See Policies ACAA, GBAA, JBA

*Adopted 9/7/05*  
*Revised: 12/3/10, 10/16/2013, 10/23/14*  
*Next Review: October 2019*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ACAA**  
**Also: GBAA**  
**JBA**

**HARASSMENT**

The Masconomet Regional School District is committed to maintaining a school environment free of harassment. Harassment by administrators, certified and support personnel, students, vendors and other individuals at school or at school sponsored events is unlawful and is strictly prohibited. The Masconomet Regional School District requires all employees and students to conduct themselves in an appropriate manner with respect for their fellow employees, students and all members of the school community.

DEFINITION OF HARASSMENT

Harassment includes communications such as jokes, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which offends or shows disrespect to others.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. What one person may consider acceptable behavior may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile or offensive.

Sexual Harassment While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education.
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student.
3. Such conduct interferes with an individual's job duties, education or participation in extra-curricular activities.

RETALIATION PROHIBITED

Retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of the school or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by the Masconomet Regional School District.

INVESTIGATION

Any individual who believes he/she has been harassed or who has witnessed or learned about the harassment of another person in the school environment should inform the appropriate building Principal as soon as possible. If the individual does not wish to discuss

## ACAA

the issue with him/her, or if he/she does not address the problem in an effective manner, the individual should inform the Superintendent or the Title IX Coordinator who can be reached at 20 Endicott Road, Boxford, MA (978) 887-2323 ext.6111.

The Masconomet Regional School District will promptly investigate every complaint of harassment. If it determines that harassment has occurred, it will take appropriate action to end the harassment and to ensure that it is not repeated. Confidentiality will be maintained to the extent consistent with the school's obligations under law and under applicable collective bargaining agreements.

In certain cases, the harassment of a student may constitute child abuse under state law. The Masconomet Regional School District will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

### DISCIPLINARY CONSEQUENCES

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination or other sanctions as determined by the school administration and/or school committee, subject to applicable procedural requirements.

### CLOSURE OF A COMPLAINT

When an investigation has been completed, school personnel will inform the complainant of the results and file a report with the Coordinator for Title IX/Section 504 of the Rehabilitation Act/Chapter 622.

The Masconomet Regional School District urges all individuals in the school community to bring any concerns or complaints of harassment to the attention of school personnel so that they can resolve the issue. The state agency responsible for enforcing laws prohibiting harassment is the Office of Civil Rights which is located at Government Center, J.F. Kennedy Federal Building – Room 1875, Boston, MA. The agency responsible for enforcing federal laws prohibiting harassment in the employment context is the Equal Employment Opportunity Commission, which is located at the John F. Kennedy Building, 4<sup>th</sup> Floor, Room 475, Government Center, Boston, MA 02203, 800 669-4000. The agency responsible for enforcing the federal law prohibiting harassment on the basis of sex is the Office for Civil Rights within the United States Department of Education, which is located at 33 Arch Street, Suite 900, Boston, MA 02110-1491

### ADMINISTRATIVE PROCEDURES

The Superintendent is directed to develop administrative procedures that implement this policy. These procedures are available in the Superintendent's office.

When an investigation involves minor children, parents will be notified in accordance with administrative procedures.

LEGAL REFERENCES: Title VII, Section 703, Civil Rights Act of 1964 as amended 45  
Federal Regulation 74676 issued by EEO Commission  
Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX)  
Board of Education 603 CMR 26:00

See policies GBAA, JBA

*Adopted: 1/27/99*

*Revised: 11/16/14*

*Next Review: November 2019*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ACG**

**GRIEVANCE PROCEDURE  
RESOLUTION OF DISCRIMINATION COMPLAINTS**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by any disabled individual or his/her authorized representative who believes that he/she has been discriminated against on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the Masconomet Regional School District.

The complaint should be submitted in writing and contain information about the alleged discriminatory incident or action including the place and date on which it occurred, and the name of any employee or representative of the Masconomet Regional School District involved. The complaint should also include the name, address, and phone number of the complainant or their authorized representative. Alternative methods of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request to the ADA Coordinator.

The complainant and/or his/her authorized representative should submit the complaint as soon as possible, but no later than 60 calendar days, after the alleged discriminatory incident to:

Director of Pupil Personnel Services, ADA Coordinator  
Masconomet Regional School District  
20 Endicott Road  
Boxford, MA 01921  
Phone (978) 887-2323 x 6115  
Fax (987) 887-3530

Within 15 calendar days after receipt of the complaint, the ADA Coordinator will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the ADA Coordinator will respond in writing and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audiotape. The response will explain the position of the Masconomet Regional School District and offer appropriate options for substantive resolution of the complaint.

If the response by the ADA Coordinator does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision (within 15 calendar days after receipt of a response) to the School Committee. Within 15 calendar days after receipt of the appeal, the School Committee, or a representative group thereof, will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the school committee or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final determination regarding the complaint.

All written complaints received by the ADA Coordinator, appeals to the School Committee and their responses will be kept by Masconomet for at least 4 years.

CROSS REF: Enhanced School Health Grant 1/01

*Adopted: 9/21/05*  
*Revised: 9/21/05*  
*Revised: 10/16/14*  
*Proposed reconsideration: November 2018*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**AD**

**EDUCATIONAL VISION AND GOALS**

VISION

Masconomet Regional School District provides a challenging educational environment for all students that:

- Maximizes opportunities for intellectual and personal growth,
- Builds character
- Promotes learning as a life-long pursuit, and
- Encourages students to become contributing community members, locally, nationally, and globally.

GOALS

EACH STUDENT WILL BE EXPECTED TO:

1. Demonstrate critical thinking skills necessary for evaluating and analyzing information;
2. Demonstrate competence in the skills of reading, writing, speaking, listening, and computation and apply these skills to daily life and to career development;
3. Develop an understanding and appreciation of the arts and sciences;
4. Acquire an understanding and appreciation of our cultural heritage;
5. Acquire an awareness of and concern for local and national affairs and this country's position in world affairs;
6. Acquire an awareness and concern for global political, economic, and environmental interdependence;
7. Demonstrate behaviors conducive to good health and acquire knowledge regarding disease and disease prevention, mental health, substance abuse, and sexuality;
8. Acquire respect for individual differences and backgrounds of others;
9. Acquire sufficient mastery of the basic disciplines in order to make informed decisions on the critical issues facing society;
10. Demonstrate competence in the use of technology as a tool for problem solving and learning and ;
11. Understand and accept responsibility for his or her education and actions.

TO PROVIDE THE PROPER ENVIRONMENT FOR STUDENT LEARNING, THE MASCONOMET REGIONAL SCHOOL DISTRICT WILL ENDEAVOR TO:

1. Provide appropriate programs to help students achieve their goals;
2. Assist teachers in developing positive self-esteem in students and evaluating the results in classroom situations;
3. Assist teachers in recognizing and appropriately responding to learning style differences in students and evaluating the results in classroom situations;
4. Develop and maintain an appropriate system of discipline;
5. Provide for a cooperative effort among students, staff, and administration in decision making;
6. Recognize and encourage excellence in teaching and promote and support professional growth of the teaching staff;

7. Recognize that the District must continually undergo self-examination and be willing to adapt programs and structures accordingly;
8. Provide the resources, including new technologies, necessary to reach our goals and;
9. Plan and provide for the best appearance, maintenance, and use of buildings and grounds.

LEGAL REFERENCE: M.G.L. 71B

*Adopted: 2/7/73*  
*Revised: 12/3/0, 12/4/13*  
*Reviewed: 9/18/14*  
*Next Review: September 2019*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ADB**

**DRUG-FREE SCHOOLS**

The Masconomet Regional School District is committed to providing a drug and alcohol free learning environment and workplace. Drug abuse and alcohol abuse at school or in connection with school-sponsored activities on or off school grounds threaten the health and safety of our students and our employees and adversely affect the educational mission of the school district. The use of illicit drugs and the unlawful possession and use of alcohol are wrong and harmful.

For these reasons, the unlawful manufacture, distribution, dispensation, possession or use of illicit drugs, alcohol or other controlled substances in the workplace, on school premises or as part of any school-sponsored activities are strictly prohibited. These standards of conduct are equally applicable to students and employees.

Details regarding consequences for those students in violation of this policy can be found in student handbooks.

LEGAL REF: M.G.L. 71:37H

*Adopted: 9/21/05*

*Revised: 12/3/08*

*Reviewed: 12/5/14*

*Proposed reconsideration: December 2019*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ADC**

**TOBACCO-FREE SCHOOL**

**1. Statement of Purpose:**

The School Committee is committed to providing a tobacco-free environment for the health and well-being of the entire school community – students, staff, and visitors to its facilities. Education about the consequences of tobacco use is an integral part of the Masconomet Regional School District Health Curriculum. The use of tobacco products has a direct link to numerous health problems. Tobacco prevention and education play critical roles in establishing life-long, positive health habits. The purpose of this policy is to comply with the requirements of the Massachusetts General Law, Chapter 71, Sections 2A and 37H. It is the intention of the School Committee to prohibit the use or distribution of tobacco products at all times whether or not school is in session within school buildings, on school grounds, on school buses or in other school vehicles, and at all school-sponsored functions in order to improve the health of students, all school personnel and visitors.

**2. Definitions:**

**Nicotine Delivery System:** Includes products approved by the FDA used in cessation programs (i.e. nicotine patch or gum) and non-FDA approved products (i.e. electronic cigarettes).

**School:** All school buildings that are a part of the Masconomet Regional School District.

**School Grounds:** Property owned or controlled by the Masconomet Regional School District, including but not limited to school buildings, structures, open space, sports or recreational facilities whether enclosed or not, vehicles owned or leased for the purpose of transporting students, school driveways, and school parking lots.

**School Personnel:** Persons who perform services for the Masconomet Regional School District, including but not limited to administrators, teachers, teacher's aides, school counselors, coaches, assistant coaches, school nurses and therapists, cafeteria workers, administrative staff, janitorial staff, volunteers, interns, security guards.

**School-sponsored Activity:** An activity at least partially funded or controlled by the Masconomet Regional School District or the parent-teacher organization to which students are invited and which occurs on or off school grounds, such as, but not limited to, graduation, sporting events, work internships, job shadowing, dances, field trips or class picnic, etc.

**Substance Abuse Prevention Program:** A program designed to teach students about general dangers of tobacco and other illegal substances, prevention techniques and consequences of risky behaviors.

Student: A person enrolled in the Masconomet Regional School District.

Tobacco and Nicotine Products: All smoking tobacco, smokeless tobacco and delivery systems, including cigarettes, cigars, pipe tobacco, chewing tobacco, bidis, snuff, electronic cigarettes or tobacco in any of its forms or any product containing tobacco.

Tobacco Paraphernalia: Shall include, but is not limited to products or materials of any kind which are intended or designed for producing, processing or using tobacco products, including rolling papers and lighters.

Tobacco Cessation: An intervention program applied to treat tobacco addiction.

Tobacco Use: The inhaling, exhaling or consuming of any lit or unlit tobacco or nicotine product or carrying of any lit tobacco product; also, the possession by a student on school grounds of a tobacco or nicotine product.

Visitor: Any person on school grounds who is not a Masconomet student or staff member. Examples include repair or delivery personnel, security personnel, presenters, consultants, students or staff from other schools (including home-schoolers and foreign exchange students and staff), parents, and outside facility users.

**3. Tobacco and Nicotine Product Use Prohibited:** No student, school personnel or visitor shall use a tobacco product at any time while on school grounds or at a school-sponsored activity as defined herein. In addition, no student shall use a nicotine product unless it is FDA approved for smoking cessation and the student utilizing the FDA approved smoking cessation products has complied with the district medication policy.

#### **4. Violations:**

The following is the policy to be followed regarding violations of this policy. In appropriate circumstances, additional sanctions or remedies may be used. Nothing contained herein shall operate to limit the authority of any person or the sanctions that may otherwise be imposed by law for violating this policy or the law. Please refer to student handbooks.

#### **Visitors**

- Announcers at all events will remind the public that the Masconomet Regional School District is a tobacco-free environment and that schools are required by law to keep school premises tobacco free. Visitors who are observed smoking or using tobacco products on school property shall be referred to a school administrator, a site administrator or a police officer.

#### **5. Severability:**

If any provision of this regulation is declared invalid or unenforceable, the other provisions shall not be affected thereby, but shall continue in full force and effect.

#### **6. Conflict with Other Policies, Laws or Regulations:**

Notwithstanding the provisions of this policy, nothing in this policy shall be deemed to amend or repeal applicable fire, health or other laws or regulations so as to permit smoking in areas where it is prohibited by such fire, health or other laws or regulations.

LEGAL REF: M.G.L. 71:2A  
M.G.L. 71:37H

*Adopted: 9/21/05*

*Revised: 12/4/13*

*Proposed reconsideration: January 2018*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ADD**

**SAFE SCHOOLS POLICY**

The Masconomet Regional School District shall maintain a safe and nurturing educational environment where students and patrons can meet and recreate without fear. The Masconomet Regional School District will not tolerate violence or injury to staff or students, nor will weapons (as defined in Weapons in Schools policy JICI) be tolerated at any school activity or on any school district property. The Masconomet Regional School Committee policies pertaining to school safety and student discipline shall be fairly and firmly enforced, criminal misconduct shall be reported to the proper law enforcement authority, and school district staff shall cooperate with any subsequent criminal prosecution. The provisions of M.G. L. 71:37H & 71:37L, prohibiting firearms on school property shall be strictly enforced.

LEGAL REF: M.G.L. 71:37H & 71:37L

CROSS REF: JICI

*Adopted: 9/7/05*  
*Revised: 12/3/08*  
*Reviewed: 10/16/13*  
*Next Review: November 2018*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ADDA**

**CRIMINAL BACKGROUND CHECKS**

It shall be the policy of the Masconomet Regional School district that, as required by law, a state and national fingerprint criminal background check will be conducted to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with children. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with children. The School Committee shall only obtain a fingerprint background check for current and prospective employees for whom the School Committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the School Committee shall review the results of the national criminal history check. The Superintendent shall also obtain a state and national fingerprint background check for any individual who regularly provides school related transportation to children. The Superintendent may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the District to perform work on school grounds, who may have direct and unmonitored contact with children. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children must continue to submit state CORI checks.

The fee charged by the provider to the employee and educator for national fingerprint background checks will be \$55.00 for school employees subject to licensure by DESE and \$35.00 for other employees, which fee may from time to time be adjusted by the appropriate agency. The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available Criminal Offender Record Information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with children. School District volunteers who are required to participate in the background check process at the direction of the Superintendent may be reimbursed at the discretion of the Superintendent.

Direct and unmonitored contact with children is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

**Requesting CHRI (Criminal History Record Information) checks**

Fingerprint-based CHRI checks will only be conducted as authorized by state and federal

law, in accordance with all applicable state and federal rules and regulations. If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

### **Access to CHRI**

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with any unauthorized entity for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts 1 of 6 Massachusetts Association of School Committees.

Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Federal law and regulations provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

### **Storage of CHRI**

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CJIS Security Policy have been implemented to ensure the security and confidentiality of CHRI. The Superintendent and his designees involved in the handling of CHRI are to familiarize themselves with these safeguards. \*Primary staff members involved in the process include the Superintendent and the Administrative Assistant.

The Superintendent will report annually on the appropriate implementation of the policy. In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage, retention and destruction of CHRI.

### **Retention and Destruction of CHRI**

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes only:

- Historical reference and/or comparison with future CHRI requests,
- Dispute of the accuracy of the record
- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in a secure location in the office of the superintendent. When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of the district.

## **CHRI Training**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the district will review and become familiar with the educational and relevant training materials regarding Statewide Automated Fingerprint Identification System (SAFIS) and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

## **Determining Suitability**

In determining an individual's suitability, the following factors will be considered by the Superintendent or School Committee: these factors may include, but not necessarily be limited to: the nature and gravity of the crime and the underlying conduct, the time that has passed since the offense, conviction and/or completion of the sentence, nature of the position held or sought, age of the individual at the time of the offense, number of offenses, any relevant evidence of rehabilitation or lack thereof and any other factors deemed relevant by the district.

A record of the suitability determination will be retained. The following information will be included in the determination:

- The name and date of birth of the employee or applicant;
- The date on which the school employer received the national criminal history check results; and,
- The suitability determination (either "suitable" or "unsuitable").

A copy of an individual's suitability determination documentation must be provided to another school employer, or to the individual, upon request of the individual for whom the school employer conducted a suitability determination.

## **Relying on Previous Suitability Determination.**

The school employer may obtain and may rely on a favorable suitability determination from a prior employer, if the following criteria are met:

The individual authorized the prior employer to release the suitability determination; and

The suitability determination was made within the last seven years; and

The individual has not resided outside of Massachusetts for any period longer than three years since the suitability determination was made; and either

The individual has been employed continuously for one or more school employers or has gaps totaling no more than two years in his or her employment for school employers; or

If the individual works as a substitute employee, the individual is still deemed suitable for employment by the school employer who made a favorable suitability determination. Upon request of another school employer, the initial school employer shall provide documentation that the individual is still deemed suitable for employment by the initial school employer.

### **Adverse Decisions Based on CHRI**

If inclined to make an adverse decision based on an individual's CHRI, the district will take the following steps prior to making a final adverse determination:

Provide the individual with a copy of his/her CHRI used in making the adverse decision; Provide the individual with a copy of this CHRI Policy; Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI; and Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time depending on the particular circumstances not to exceed thirty *calendar* days to correct or complete the CHRI.

### **Secondary Dissemination of CHRI**

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI.

The following information will be recorded in the log:

- Subject Name;
- Subject Date of Birth;
- Date and Time of the dissemination;
- Name of the individual to whom the information was provided;
- Name of the agency for which the requestor works;
- Contact information for the requestor; and
- The specific reason for the request.

### **Reporting to Commissioner of Elementary and Secondary Education**

Pursuant to state law and regulation, if the district dismisses, declines to renew the employment of, obtains the resignation of, or declines to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a state or national criminal record check, the district shall report such decision or action to the Commissioner of Elementary and Secondary Education in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the

Department and shall include the reason for the action or resignation as well as a copy of the criminal record checks results. The superintendent shall notify the employee or applicant that it has made a report pursuant to the regulations to the Commissioner.

Pursuant to state law and regulation, if the district discovers information from a state or national criminal record check about a licensed educator or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to regulations, the Superintendent shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether the district retains or hires the educator as an employee. The report must include a copy of the criminal record check results. The school employer shall notify the employee or applicant that it has made a report pursuant to regulations to the

Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

### **C.O.R.I. REQUIREMENTS**

It shall be the policy of the district to obtain all available Criminal Offender Record Information (CORI) from the department of criminal justice information services of prospective employee(s) or volunteer(s) of the school department including any individual who regularly provides school related transportation to children, who may have direct and unmonitored contact with children, prior to hiring the employee(s) or to accepting any person as a volunteer. State law requires that school districts obtain CORI data for employees of taxicab companies that have contracted with the schools to provide transportation to pupils.

The Superintendent or his certified designees shall periodically, but not less than every three years, obtain all available Criminal Offender Record Information from the department of criminal justice informational services on all employees, individuals who regularly provide school related transportation to children, including taxicab company employees, and volunteers who may have direct and unmonitored contact with children, during their term of employment or volunteer service.

The Superintendent or his certified designees may also have access to Criminal Offender Record Information for any subcontractor or laborer who performs work on school grounds, and who may have direct and unmonitored contact with children, and shall notify them of this requirement and comply with the appropriate provisions of this policy.

Pursuant to a Department of Education regulation, “‘Direct and unmonitored contact with children’ means contact with students when no other employee, for whom the employer has made a suitability determination of the school or district, is present. “Contact” refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication. The school employer may determine when there is potential for direct and unmonitored contact with children by assessing the circumstances and specific factors including but not limited to, whether the individual will be working in proximity with students, the amount of time the individual will spend on school grounds, and whether the individual will be working independently or with others. An individual shall not be considered to have the potential for direct and unmonitored contact with children if he or she has only the potential for incidental unsupervised contact in commonly used areas of the school grounds.”

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to children of the school district shall sign an acknowledgement form authorizing receipt by the district of all available CORI data from the department of criminal justice information services. In the event that a current employee has a question concerning the signing of the acknowledgement form, he/she may meet with the Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to District Counsel for appropriate action. Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent or his designees certified to obtain information under the policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school children.

CORI is not subject to the public records law and must be kept in a secure location, separate from personnel files and may be retained for not more than three years. CORI shall be shared with the individual to whom it pertains, pursuant to law, regulation and the following model

policy (*ADDA-R*), and in the event of an inaccurate report the individual should contact the department of criminal justice informational services.

Access to CORI material must be restricted to those individuals certified to receive such information. In the case of prospective employees or volunteers, CORI material should be obtained only where the Superintendent has determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

The hiring authority, subject to applicable law and the model policy, reserves the exclusive right concerning any employment decision.

The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of the employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any employee, individual who regularly provides transportation, or volunteer who may have direct and unmonitored contact with children. Current employees, persons regularly providing school related transportation, and volunteers shall also be informed in writing by the Superintendent prior to the periodic obtaining of their Criminal Offender Record Information.

The Superintendent shall amend employment applications to include questions concerning criminal records which the Massachusetts Commission against Discrimination has determined may be legally asked of prospective employees. Any employment application which seeks information concerning prior arrests or convictions of the applicant shall include the following statement: “An applicant for employment with a sealed record on file with the commission of probation may answer ‘no record’ with respect to an inquiry herein relative to prior arrests or criminal court appearances. In addition, any applicant for employment may answer ‘no record’ with respect to any inquiry relative to prior arrests, court appearances and adjudications in all cases of delinquency or as a child in need of service which did not result in a complaint transferred to the superior court for criminal prosecution.”

Records sealed pursuant to law shall not operate to disqualify a person in any examination, appointment or application for public service on behalf of the Commonwealth or any political subdivision thereof.

The Superintendent shall revise contracts with special education schools and other providers to require a signed statement that the provider has met all legal requirements of the state where it is located relative to criminal background checks for employees and others having direct and unmonitored contact with children.

LEGAL REFS.: M.G.L.6:167-178; 15D:7-8; 71:38R, 151B, 276:100A  
P.L. 92-544; Title 28 U.S.C. § 534; Title 28 C.F.R. 20.33(b)  
42 U.S.C. § 16962  
603 CMR 51.00  
803 CMR 2.00  
803 CMR 3.05 (Chapter 149 of the Acts of 2004)  
FBI Criminal Justice Information Services Security Policy  
Procedure for correcting a criminal record  
FAQ – Background Checks

SOURCE: MASC May 2014

NOTE: The Department of Criminal Justice Information Services (DCJIS) has adopted regulations requiring that it maintain a model CORI policy and that any written policy must meet the minimum standards as found in the model. Therefore, MASC recommends that school districts retain both the school district specific policy incorporated here and the DCJIS model policy attached as ADDA-R.

*Adopted: 9/7/05*

*Revised: 12/3/08, 10/16/2013, 06/11/14*

*Reviewed: May 21, 2014*

*Proposed reconsideration: June 2019*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ADDA-R**

**CORI**

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, and professional licensing applicants.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, the following practices and procedures will be followed.

**CONDUCTING CORI SCREENING**

CORI checks will only be conducted as authorized by the DCJIS, state law, and regulation, and only after a CORI Acknowledgement Form has been completed.

If a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours notice that a new CORI check will be conducted.

**ACCESS TO CORI**

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The district must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

**CORI TRAINING**

An informed review of a criminal record requires training. Accordingly. All district personnel authorized to review or access CORI will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

## **USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING**

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

## **VERIFYING A SUBJECT'S IDENTITY**

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

## **INQUIRING ABOUT CRIMINAL HISTORY**

In connection with any decision regarding employment, volunteer opportunities, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

## **DETERMINING SUITABILITY**

If a determination is made, based on the verification of identity information as provided in this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and
- (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

## **ADVERSE DECISIONS BASED ON CORI**

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' Information Concerning the Process for Correcting a Criminal Record.

## **SECONDARY DISSEMINATION LOGS**

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of Cori outside this organization, including dissemination at the request of the subject.

SOURCE: MASC May 2014

*Adopted: 6/11/03*

*Revised: 11/19/03, 6/11/14*

*Proposed reconsideration: June 2019*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**ADF**

**WELLNESS PROGRAM**

The School Committee recognizes the relationship between student wellbeing and student achievement, as well as the importance of a comprehensive district wellness program. Therefore, the District will provide developmentally appropriate and sequential nutrition education and physical education, as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary manner and will be evidence based.

The District will establish a Wellness Committee that will be comprised of faculty, administration, school nurse(s), food service representative, school committee member, parent(s), student (s), and other members of the community, as appropriate. The Director of Guidance, Health Instruction, and Health Services will serve as the Wellness Program Coordinator, in partnership with the Middle and High School Health Coordinators and the Assistant Principal in charge of physical education, under the direction of the Superintendent. The Wellness Program Coordinator, in consultation with the Wellness Committee and under the direction of the Superintendent, will be in charge of implementation and evaluation of this policy.

It is the policy of the School Committee that foods and beverages made available on campus during the school day are consistent with the School Lunch Program nutrition guidelines. Guidelines for reimbursable school meals will not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law. The District will establish procedures to address what foods are to be made available to students throughout the day in the following areas:

- Guidelines for maximizing nutritional value by reducing fat and added sugars, increasing nutrition density, and moderating portion size;
- Guidelines for foods in the following categories: vending machines, snack bars, school store, concessions stands, fundraising activities, and parties/celebrations/meetings during the school day.

The District will provide nutrition education aligned with standards established by the USDA's National School Lunch Program and the School Breakfast Program at the middle and high school levels. The District will provide physical education training aligned with the standards established by the Department of Education. The Wellness Program Coordinator, in consultation with the Wellness Committee and under the direction of the Superintendent, will develop procedures that address nutrition education and physical education.

With regard to nutrition education, the District will provide instruction that teaches skills to enable students to adopt and maintain healthy eating behaviors. Nutrition educators will collaborate with food service staff to strengthen and extend instruction. Nutrition education will be integrated not only into health education but also core curricula to the degree possible.

With regard to physical education, the District will provide opportunities for physical activity during the school day through physical education classes and the integration of physical activity into the academic curriculum where appropriate. Students will be given

opportunities for physical activity through a range of after-school programs including interscholastic athletics and physical activity clubs.

The District will provide a wellness program for faculty and staff that encourages healthy eating behaviors and physical activity so that they may serve as role models to students of enjoyable, lifelong healthy eating and physical activity. The District also will provide training for health and PE teachers, as well as other faculty and staff, as appropriate. In partnership with the School Health Advisory Council, the Tri-Town School Union, the Umbrella Organizations group, and the Tri-Town Council, programs for parents and guardians on health and wellness will be offered so that they may support the healthy eating habits and physical activity of their children.

The Wellness Program Coordinator, in consultation with the Wellness Committee and under the direction of the Superintendent, will develop procedures, as the need arises, for other school-based activities to promote wellness.

The Wellness Committee will assess educational curricula and materials pertaining to wellness for accuracy, completeness, balance, and consistency with the State and District's educational goals and standards. The Wellness Program Coordinator shall be responsible for implementation and evaluation of the District's wellness policy and is charged with the operational responsibility for ensuring that schools meet the goals of the wellness policy. The Wellness Program Coordinator will report annually to the School Committee.

The School Health Advisory Council (SHAC) is Masconomet's Wellness Committee.

LEGAL REFS: The Child Nutrition and WIC Reauthorization Act of 2004,  
Section 204, P.L. 108-265  
The Richard B. Russell National School Lunch Act,  
42 U.S.C. 1751-1769h  
The Child Nutrition Act of 1966, 42 U.S.C. 1771-1789

CROSS REFS: IHAMA, Teaching About Drugs, Alcohol, and Tobacco

*Original Adoption: 6/21/06*  
*Reviewed: 10/2/13*  
*Adoption: 12/3/08, 10/16/13*  
*Proposed reconsideration: October 2018*



**Masconomet Regional School District**  
*Serving Boxford, Middleton & Topsfield*

**Policy of the School Committee**

**AE**

**COMMITMENT TO ACCOMPLISHMENT**

The School Committee accepts ultimate responsibility for all facets of school operations. Because it is accountable to residents of the district, the School Committee will maintain a program of accountability consisting of the following elements:

- Clear statements of expectations and purpose as these relate to operations, programs, departments, and positions;
- Provisions for the staff, resources, and support necessary to achieve stated expectations and purposes, subject to financial support by residents of the district;
- Evaluation of operations and instructional and staff development programs to determine how well expectations and purposes are being met;
- Specific performance objectives to enable individuals to direct their own efforts to the goals and objectives of the district;
- Evaluation of the efforts of employees in line with stated objectives, with the first purpose of evaluation being to help each individual make a maximum contribution to the goals of the district.

Every effort will be made by the School Committee, Superintendent, and staff to fulfill the responsibilities inherent in the concept of accountability.

*Original Adoption 9/21/05*

*Reviewed: 10/16/13*

*Adoption: 12/3/08*

*Proposed reconsideration: November 2018*