



SCHOOL COMMITTEE MEETING
AGENDA AMENDED 08.26.2019 @ 2:42 p.m.

Buker Elementary School Wednesday, August 28, 2019 7:00 p.m. - 9:00 p.m.
Multi-Purpose Room

Agenda

1. Call to order 7:00 PM
2. Pledge of Allegiance
3. Citizen's Comments
4. Consent Agenda
 - a. Warrants
 - August 2, 2019 [Exhibit A](#)
 - July 31, 2019 [Exhibit B](#)
 - August 2, 2019 [Exhibit C](#)
 - July 17, 2019 [Exhibit D](#)
 - July 18, 2019 [Exhibit E](#)
 - July 22, 2019 [Exhibit F](#)
 - August 2, 2019 [Exhibit G](#)
 - August 2, 2019 [Exhibit H](#)
 - b. Vote to approve prior meeting minutes: July 2, 2019 [Exhibit O](#)
 - c. Vote to approve prior meeting minutes: July 31, 2019 [Exhibit P](#)
5. New Business
 - a. Vote to Renew Treasurer, Don Gallant, Contract [Exhibit I](#)
 - b. Donation
 - Friends of Cutler School - \$20,700 [Exhibit J](#)
 - Gift in memory of Catherine Comegys - \$500.00 [Exhibit K](#)
 - c. Vote to Approve School Committee Meeting Calendar [Exhibit L](#)
6. Superintendent's Report
 - a. Start of the School Year
 - b. Enrollment Update [Exhibit M](#)
 - c. Vacancies
7. Chair's Report
8. Capital/Financial Planning Committee
 - a. Update regarding potential of Longmeadow
 - b. Hamilton & Wenham Town Finance Committee outreach
 - c. School Site Visits - observing the needs of our facilities
9. Policy Committee
 - a. Second Reading of Section A [Exhibit N](#)
10. Vote to Adjourn

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT VOUCHER

Voucher No: 3

Voucher Date: 08/02/2019

Prepared By:

Deann Gallant

Printed: 07/31/2019 02:16:37 PM

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT is hereby authorized to draw warrants against HAMILTON WENHAM REGIONAL SCHOOL DISTRICT funds for the sum of \$7,952.61 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2019 to June 30, 2020 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

Donald Gallant

District Treasurer

Kevin Mahoney

Assistant District Treasurer

Mitchell S. Flynn

School Committee Member

Julie Kukenberger

Superintendent of Schools

HAMILTON WENHAM REGIONAL SCHOOL
DISTRICT

Fund		Amount
001	GENERAL FUND	\$7,161.31
100	PRIOR YEAR ENCUMBRANCES	\$791.30
202	REVOLVING FUNDS	\$0.00
302	94-142 IDEA 240	\$0.00
402	STATE GRANTS FY EVEN YEARS	\$0.00
701	CAFETERIA FUNDS	\$0.00
		\$7,952.61

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT VOUCHER

Voucher No: 1004

Voucher Date: 07/31/2019

Prepared By:



Printed: 07/31/2019 01:48:48 PM

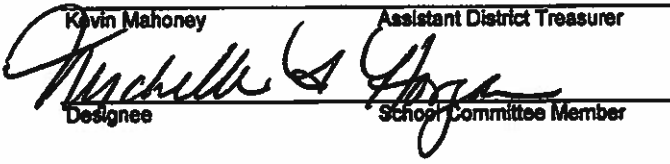
HAMILTON WENHAM REGIONAL SCHOOL DISTRICT is hereby authorized to draw warrants against HAMILTON WENHAM REGIONAL SCHOOL DISTRICT funds for the sum of \$391,690.20 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2019 to June 30, 2020 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.



Donald Gallant

District Treasurer



Kevin Mahoney

Assistant District Treasurer

Designee

School Committee Member

Julie Kukenberger

Superintendent of Schools

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT

Fund		Amount
001	GENERAL FUND	\$391,690.20
		\$391,690.20

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT VOUCHER

Voucher No: 1005

Voucher Date: 08/02/2019

Prepared By: Donall Gallant

Printed: 08/01/2019 07:34:31 AM

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT is hereby authorized to draw warrants against HAMILTON WENHAM REGIONAL SCHOOL DISTRICT funds for the sum of \$566,555.87 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2019 to June 30, 2020 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

Donall Gallant
 Donald Gallant District Treasurer

Kevin Mahoney Assistant District Treasurer
Michelle A. Lopez
 Designee School Committee Member

Julie Kukuenger
 Julie Kukuenger Superintendent of Schools

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT

Fund	Amount
001 GENERAL FUND	\$566,555.87
	\$566,555.87

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT VOUCHER

Voucher No: 2803

Voucher Date: 07/18/2019

Prepared By:

H. Capozzi
Printed: 07/18/2019 08:45:58 AM

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT is hereby authorized to draw warrants against HAMILTON WENHAM REGIONAL SCHOOL DISTRICT funds for the sum of \$6,144.70 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2019 to June 30, 2020 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

Donald Gallant
Donald Gallant District Treasurer

Kevin Mahoney
Kevin Mahoney Assistant District Treasurer

Debbie
Debbie School Committee Member

Jeffrey Sands
Jeffrey Sands Assistant Superintendent for Admin. and Finance

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT

Fund	Amount
202 REVOLVING FUNDS	\$6,144.70
	\$6,144.70

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT VOUCHER

Voucher No: 2804

Voucher Date: 07/22/2019

Prepared By: W. Capozzi

Printed: 07/22/2019 11:59:46 AM

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT is hereby authorized to draw warrants against HAMILTON WENHAM REGIONAL SCHOOL DISTRICT funds for the sum of \$200.00 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2019 to June 30, 2020 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

Donald Gallant
Donald Gallant District Treasurer

Kevin Mahoney Assistant District Treasurer
Michelle F. Hogan
Designee School Committee Member

Julie R. Kukenberger 07/25/19
Julie Kukenberger Superintendent of Schools

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT

Fund	Amount
202 REVOLVING FUNDS	\$200.00
	\$200.00

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT VOUCHER

Voucher No: 2805

Voucher Date: 08/02/2019

Prepared By:

Donald Gallant

Printed: 07/31/2019 11:48:01 AM

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT is hereby authorized to draw warrants against HAMILTON WENHAM REGIONAL SCHOOL DISTRICT funds for the sum of \$61,600.23 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2019 to June 30, 2020 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

Donald Gallant

Donald Gallant

District Treasurer

Keyin Mahoney

Keyin Mahoney

Assistant District Treasurer

Theresa A. Horgan

Designee

School Committee Member

Julie Kukenberger

Superintendent of Schools

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT

Fund		Amount
001	GENERAL FUND	\$48,198.08
100	PRIOR YEAR ENCUMBRANCES	\$10,602.15
452	CAPITAL PROJECT FY19/FY20	\$2,800.00
		\$61,600.23

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT VOUCHER

Voucher No: 2806

Voucher Date: 08/02/2019

Prepared By:

Donald Gallant
Printed: 07/31/2019 12:05:29 PM

HAMILTON WENHAM REGIONAL SCHOOL DISTRICT is hereby authorized to draw warrants against HAMILTON WENHAM REGIONAL SCHOOL DISTRICT funds for the sum of \$42,776.61 on account of obligations incurred for value received in services and for materials as shown below for period July 1, 2019 to June 30, 2020 (period cannot overlap fiscal year end.)

I certify that this claim is just and correct, and the services and/or materials herein represented have been received during the period listed above. All items are properly coded and not in excess of the budget.

Donald Gallant
Donald Gallant

District Treasurer

Kevin Mahoney
Kevin Mahoney

Assistant District Treasurer

Michelle A. Hayes
Michelle A. Hayes

School Committee Member

Julie Kukenberger
Julie Kukenberger

Superintendent of Schools

HAMILTON WENHAM REGIONAL SCHOOL
DISTRICT

Fund		Amount
001	GENERAL FUND	\$41,543.97
205	ATHLETIC/EXTRA CURR REVOLVING	\$1,127.24
402	STATE GRANTS FY EVEN YEARS	\$52.70
701	CAFETERIA FUNDS	\$52.70
		\$42,776.61

**The Hamilton Wenham Regional School District
School Committee Meeting
Buker Elementary School Multi-Purpose Room
Tuesday, July 2, 2019 7:00 PM**

Present:

Michelle Horgan, Assistant Secretary
Gene Lee (7:08 pm arrival)
David Polito, Chairperson
Michelle Bailey
Stacey Metternick, Secretary
Peter Wolczik

1. Call to Order

David Polito calls the meeting to order at 7:03 pm.

2. Pledge of Allegiance

All in attendance rise for the Pledge of Allegiance.

3. Citizens' Comments

None.

4. Chair's Report

- Winthrop Elementary Principal Heath announced that he will be resigning as of August 1, 2019 in order to begin a position with Lawrence School District. Mr. Heath will be greatly missed in Hamilton-Wenham and we wish him all the best in his continued success!
- Michelle Bailey asks if there is any information regarding Dr. Kukenberger's plans in forming a search committee, or otherwise filling this soon to be vacant role. David Polito will be meeting with Dr. Kukenberger next week, and will provide any new information regarding current open positions (including Winthrop Principal, Assistant Superintendent, etc.).

5. Superintendent's Report

None.

6. Consent Agendaa. Minutes

- June 5, 2019
- May 15, 2019 Executive Session

Exhibit A

Exhibit B

b. Warrants

- June 21, 2019

Exhibit C

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE ACCEPT THE CONSENT AGENDA INCLUDING MINUTES FROM 06/05/2019 (EXHIBIT A), EXECUTIVE SESSION MINUTES FROM 05/15/2019 (EXHIBIT B); THERE CAN BE NO FURTHER CHANGES TO THESE DOCUMENTS.

**MOTION by Stacey Metternick; SECONDED by Gene Lee.
Unanimously approved by 6 members present.**

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE AMEND THE ORIGINAL MOTION TO ADD: AND ALSO INCLUDING THE WARRANTS FROM 06/21/2019 (EXHIBIT C); THERE CAN BE NO FURTHER CHANGES TO THESE DOCUMENTS.

**MOTION by Stacey Metternick; SECONDED by Gene Lee.
Unanimously approved by 6 members present.**

7. New Business

A. Custodial Collective Bargaining Agreement

Exhibit D

Stacey Metternick inquires as to the process of providing the agreement and suggested changes; explaining that the original agreements are usually provided with changes indicated through “red-lining” of such document.

Michelle Horgan reviews the district suggested changes in language regarding union dues, (Section 2.1) and changes in language regarding sick leave (Section 11.4). Michelle Horgan elaborates that the many, if not most, of the changes outlined in Exhibit D are aligned with the Office Personnel contract changes previously approved. The changes suggested to the custodial agreement will help keep the contracts consistent.

Discussion regarding process of negotiations and suggesting changes to be approved by School Committee, lack of full contract provided in Exhibit D, etc. Michelle Horgan states that these changes were emailed on Friday, and a full contract could have been requested earlier.

Michelle Horgan provides a detailed review of changes suggested, including: union dues, wages, sick leave, clothing allowance/ attire, trainings, holidays, vacation, insurance, and performance evaluations.

Discussion regarding / versus & within the context of performance evaluations: “members will be evaluated by their supervisor/principal/director”. Clarified: one of the three listed positions will perform the evaluation, *not* all three positions provide a review.

Further discussion regarding sick time policies and changes made to contract: Michelle Horgan notes that the union asked for 3 separate salaries and salary tables for the maintenance crew, which would have made little sense for the District and caused a great burden to comply with such a request.

School Committee clarifies the process by which to provide changes to negotiated agreements: existing contracts provided as exhibit, with changes indicated via red-lining.

Attorney Naomi Stonberg provided the document attached as Exhibit D.

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE ACCEPT THE CUSTODIAL COLLECTIVE BARGAINING AGREEMENT AS SHOWN IN EXHIBIT D (PAGES 23-33 OF THE [SCHOOL COMMITTEE PACKET](#)), AND ADD IT TO THE ORIGINAL CUSTODIAL AGREEMENT.

**MOTION by Stacey Metternick; SECONDED by Michelle Horgan.
Unanimously approved by 6 members present.**

Michelle Horgan extends her gratitude to the custodial staff for the cleanliness of our schools (imperative to an excellent education!) as well as the union’s patience in waiting for over 1 year for this agreement.

8. Other

Topics for next meeting, 07/31/2019

- Closing of the Books;
- Football Boosters;
- Approve Capital Sub-Committee chair and charge;
- Approve contracts for Don Gallant, District Treasurer and Kevin Mahoney, Assistant District Treasurer;
- Possible Workshop

Follow up discussions and planning:

Michelle Bailey provided Dr. Kukenberger and Dorothy Presser with each other's contact information. David Polito will provide status on workshop scheduling once he hears from Dr. Kukenberger and Ms. Presser.

School Committee will reach out to Dorothy Presser for her assistance in ensuring Jeff Sands attends 7/31/19 School Committee meeting for closing of the books.

Michelle Horgan says she opened the document attached to Craig Genualdo's email, and was only able to access the first page. Stacey Metternick will send the entire document to Michelle Horgan, a copy of which will also be available on Dropbox. Discussion: technological issues, email issues, applications used to open attachments, etc..

9. Vote to Adjourn into Executive Session

9:30 PM

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE ADJOURN INTO EXECUTIVE SESSION AT 8:34 PM FOR THE PURPOSE OF DISCUSSING STRATEGY RELATIVE TO THE PURCHASE OF NUMBER 1, 3 & 5 LONGMEADOW WAY, HAMILTON, MA; AN EXECUTIVE SESSION IS NECESSARY BECAUSE I, THE CHAIR, HAVE DETERMINED A DISCUSSION IN OPEN SESSION MAY BE DETRIMENTAL TO THE SCHOOL COMMITTEE'S NEGOTIATING POSITION (EXECUTIVE SESSION PURPOSE #6) AND NOT RETURN TO OPEN SESSION.

MOTION by David Polito.

Peter Wolczik - Yes;

Stacey Metternick - Yes;

Michelle Bailey - Yes;

David Polito - Yes;

Michelle Horgan - Yes;

Gene Lee - Yes.

Unanimously approved via roll call vote.

Respectfully submitted July 25, 2019 by Mahala Lettvin, Recording Secretary.

**The Hamilton Wenham Regional School District
School Committee Meeting
Buker Elementary School Multi-Purpose Room
Wednesday, July 31, 2019 6:00 PM**

Present:

Gene Lee (arrival at 6:30pm)
Michelle Horgan, Assistant Secretary
David Polito, Chairperson
Michelle Bailey
Stacey Metternick, Secretary
Peter Wolczik

Also Present:

Dr. Julie Kukenberger, Interim Superintendent
Dorothy Presser, MASC Representative
Mahala Lettvin, Recording Secretary

1. Call to Order

David Polito calls the meeting to order at 6:05 pm.

2. Pledge of Allegiance

All in attendance rise for the Pledge of Allegiance.

3. Citizens' Comments

Tom Whittredge, AFSCME COUNCIL 93 LOCAL 2905: Speaks of challenges faced in contract negotiations, with his gratitude extended to the District for their ongoing expertise. Mr. Whittredge states that former Superintendent, Dr. Michael Harvey will be greatly missed, however, Dr. Kukenberger is a great replacement!

4. Vote to Adjourn to Executive Session

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE VOTE TO ADJOURN INTO EXECUTIVE SESSION AT 6:08PM FOR THE PURPOSE OF DISCUSSING STRATEGY RELATIVE TO CONTRACT NEGOTIATIONS WITH THE ASSISTANT SUPERINTENDENT FOR FINANCE & ADMINISTRATION AND TO RETURN TO OPEN SESSION (EXECUTIVE SESSION PURPOSE #2).

MOTION by David Polito.

**Michelle Horgan: Yes;
Michelle Bailey: Yes;
Stacey Metternick: Yes;
Peter Wolczik: Yes.**

Unanimously approved by 5 members present, via roll call vote.

School Committee meets in Executive Session, returning to open session at 6:42 pm.

5. Consent Agenda

a. Warrants

- June 24, 2019
- July 19, 2019

Exhibit A
Exhibit B

b. Minutes

- June 19, 2019

Exhibit C

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE ACCEPT THE CONSENT AGENDA INCLUDING WARRANTS FROM 06/24/2019 (EXHIBIT A) AND

07/19/2019 (EXHIBIT B) AND MINUTES FROM 06/19/2019 (EXHIBIT C); THERE CAN BE NO FURTHER CHANGES TO THESE DOCUMENTS.

**MOTION by Stacey Metternick; SECONDED by Michelle Bailey.
Unanimously approved by 6 members present.**

6. New Business

A. Appointment of Assistant Superintendent for Finance & Administration, Vincent Leone Exhibit I
Dr. Kukenberger details her recommendation that the School Committee appoint Vincent Leone (*District Director of Accounting & Payroll*) as the District's new *Assistant Superintendent for Finance & Administration*.

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE APPOINT VINCENT LEONE TO ASSISTANT SUPERINTENDENT FOR FINANCE & ADMINISTRATION, AS DETAILED IN EXHIBIT I, PAGES 23-32 OF THE SCHOOL COMMITTEE PACKET, WITH SUPERINTENDENT DR. KUKENBERGER NEGOTIATING THIS CONTRACT.

**MOTION by Stacey Metternick; SECONDED by Michelle Bailey.
Unanimously approved by 6 members present.**

Vincent Leone, present in the audience, thanks Dr. Julie Kukenberger for her support throughout this process. Mr. Leone also extends his gratitude to Dr. Michael Harvey, former *Superintendent*, and Jeffery Sands, former *Assistant Superintendent for Finance & Administration*, for their support. Mr. Leone looks forward to taking on new challenges and opportunities in this role.

B. Closing of the FY19 Budget

Exhibit D

Dr. Julie Kukenberger presents *Final FY19 Year-End Financial Close as of July 26, 2019*, a presentation created by Julie Kukenberger, Jeff Sands, and Vincent Leone (detailed in Exhibit D, pages 33 -40 of the School Committee Packet):

- FY19 Operating Expense Actuals Overview;
 - Salary Costs;
 - Operating Costs;
 - FY19 ended \$9,594 or .030% favorable to budget;
- Summary by DESE Budget Category;
- Proposed Budget Transfers by DESE Budget Category;

I MOVE THAT THE HAMILTON-WENHAM REGIONAL SCHOOL COMMITTEE APPROVES THE FY19 OPERATING EXPENSE BUDGET TRANSFERS AS RECOMMENDED HEREIN BY THE ASSISTANT SUPERINTENDENT OF FINANCE & ADMINISTRATION AND AS PRESENTED ON THE PREVIOUS SLIDE ENTITLED "PROPOSED BUDGET TRANSFERS BY DESE CATEGORY".

**MOTION by Stacey Metternick; SECONDED by Michelle Horgan.
Unanimously approved by 6 members present.**

- Proposed Regional Transportation Transfer;

I MOVE THAT THE HAMILTON-WENHAM REGIONAL SCHOOL COMMITTEE APPROVE THE FY19 REGIONAL TRANSPORTATION TRANSFER AS RECOMMENDED HEREIN BY THE ASSISTANT SUPERINTENDENT OF FINANCE & ADMINISTRATION AND AS PRESENTED ON THE PREVIOUS SLIDE ENTITLED "PROPOSED REGIONAL TRANSPORTATION TRANSFER".

MOTION by Stacey Metternick; SECONDED by Michelle Horgan.

Unanimously approved by 6 members present.

- FY19 Annual Audit Update

Dr. Kukeneberger thanks Jeff Sands, former *Assistant Superintendent for Finance & Administration*, as well as Vincent Leone, newly appointed *Assistant Superintendent for Finance & Administration*, for their hard work in closing out the FY and in developing the presentation.

C. Vote Ratified Custodial Agreement

Exhibit E

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE VOTE TO RATIFY THE CUSTODIAL AGREEMENT BETWEEN THE REGIONAL SCHOOL DISTRICT COMMITTEE AND AFSCME COUNCIL 93 LOCAL 2905, AS DETAILED IN EXHIBIT E, PAGES 41-76 OF THE SCHOOL COMMITTEE PACKET.

**MOTION by Stacey Metternick; SECONDED by Michelle Horgan.
Unanimously approved by 6 members present.**

D. Football Boosters Fundraiser

Exhibit F

Jeremy Coffey, 45 Kimball Road, Wenham: Appears on behalf of Jim Moynihan, Football Boosters President, who is currently on vacation. Football Boosters are hoping the School Committee will approve their fundraising efforts: seeking sponsors to purchase banners (varying in size) to hang on the fence around the field. Mr. Coffey provides a brief overview of the success of the fundraising efforts from last year, and a summary of how funds will be used once obtained.

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE ALLOW THE FOOTBALL BOOSTERS TO FUNDRAISE AS DETAILED IN EXHIBIT F, PAGES 77-79 OF THE SCHOOL COMMITTEE PACKET.

**MOTION by Stacey Metternick; SECONDED by Michelle Horgan.
Unanimously approved by 6 members present.**

E. Donation

Exhibit G

2019 Class Gift, \$1,500

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE ACCEPT THE DONATION FROM THE HAMILTON-WENHAM CLASS OF 2019 IN THE AMOUNT OF \$1,500.00.

**MOTION by Stacey Metternick; SECONDED by Michelle Bailey.
Unanimously approved by 6 members present.
*Thank you to Class of 2019 for this generous donation!***

7. Superintendent's Report

a. Entry Plan

Dr. Kukeneberger states that she continues to work on the Entry Plan, however in her one month in the District, hiring was the top priority. Dr. Kukeneberger explains that her goal is to develop a survey which will inform: development of entry plan; interim superintendent role and the best way to serve the community; and best course of action in guiding the School Committee in preparation for a full search for the permanent Superintendent. Dr. Kukeneberger explains that she also plans to meet one-on-one with a variety of stakeholders throughout the community to help inform District priorities.

b. Appointments

Dr. Kukeneberger details District appointments:

- Dr. Kukeneberger is prepared to enter negotiations with Vincent Leone in his appointment to the Assistant Superintendent for Finance & Administration role;
- Carolyn Shediak has been appointed to the Winthrop Elementary Principal position;

- Thomas Geary has been appointed to the Director of Maintenance, Facilities and Operations position. This position will now include District safety and transportation aspects.

c. Enrollment Update

Dr. Kukenberger provides an update on District enrollment.

d. Winthrop Building Project Update

The building project at Winthrop is moving along with everything on schedule and on budget.

School Committee discusses elementary school playgrounds safety: Cutler School required immediate closure, but the playground will be functional in time for the first day of school.

8. Chair's Report

- David Polito officially welcomes interim Superintendent Dr. Julie Kukenberger;
- Hamilton-Wenham Little League team is in conference championship!

9. Capital/Financial Planning Committee

a. Vote Charge of Capital/Financial Planning Committee

Stacey Metternick states that the School Committee needs to vote in the Capital/.Financial Planning Committee charge:

Capital - Advocate and execute a list of needs to meet the short term and long term capital needs and make recommendations to the School Committee.

Finance - Review and improve the budget process to meet the strategic objectives of the School Committee in a transparent and collaborative manner. The group will make recommendations to the School Committee.

Turf Field - Will be an advisory group to the School Committee and any decisions made by the working group & all recommendations to the full School Committee for approval.

I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE APPROVE THE CAPITAL/FINANCIAL PLANNING SUB-COMMITTEE CHARGE AS PREVIOUSLY READ.

MOTION by Stacey Metternick; SECONDED by Michelle Horgan. Unanimously approved by 6 members present.

b. Update regarding Longmeadow (held until next meeting)

c. Hamilton & Wenham Town Finance Committee Outreach (held until next meeting)

10. School Committee Workshop - Dorothy Presser of MASC

Exhibit H

At 7:28 pm, the School Committee relocates to Superintendent's office to begin their workshop, led by MASC representative Dorothy Presser.

a. Reflection Activity

Review School Committee member responsibilities, collective responsibilities, etc.

b. Review & Update School Committee Protocols

School Committee reviews School Committee Protocols, but committee members decided not to sign. Instead will do a review at each meeting and fill out a form, then give to Mahala so School Committee members can review at each meeting where they stand to make improvements in future.

c. Roles & Responsibilities

School Committee reviews member roles and responsibilities.

11. Vote to Adjourn

9:00 PM

**I MOVE THAT THE HAMILTON WENHAM REGIONAL SCHOOL COMMITTEE ADJOURN
AT 9:00PM.**

**MOTION by Stacey Metternick; SECONDED by Gene Lee.
Unanimously approved by 6 members present.**

Respectfully submitted August 7, 2019 by Mahala Lettvin, Recording Secretary.



HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT

TERMS OF EMPLOYMENT

DON GALLANT

DISTRICT TREASURER

EMPLOYMENT:	In accordance with MGL c.71s.16A, appointed by the HWRSD School Committee on July 31, 2019 as District Treasurer for FY20.
TERM OF EMPLOYMENT:	July 1, 2019 – June 30, 2020
SALARY:	\$47.75/hour
WORK WEEK:	Sixteen (16) hours per week or 0.4 FTE. Four (4) hours per day, four (4) days per week. Additional hours may be required in order to complete special projects at the request of the Assistant Superintendent for Finance & Administration. This is a 12-month position.
GENERAL BUSINESS HOURS:	To be determined in conjunction with the Assistant Superintendent for Finance & Administration. Weekly hours will include meetings with the HWRSD Warrant Subcommittee.
VACATION:	Hours will be pro-rated based on FTE. Ten (10) pro-rated Vacation Days per fiscal year (4) hours per Vacation Day. All vacation must be approved in advance by the Assistant Superintendent for Finance and Administration. A vacation of four (4) or more consecutive days must be submitted at least thirty (30) days in advance to ensure coordination of schedules with the Assistant Treasurer.
HOLIDAY:	Pro-rated based on FTE; four (4) hours per Holiday. Eligible for all District Holidays.
SICK LEAVE:	Hours will be pro-rated based on FTE. Fourteen (14) pro-rated Sick Days per fiscal year; four (4) hours per Sick Day; Sick Leave may accumulate to 180 days. There will be no sick leave buy-back upon retirement or termination of employment.
PERSONAL LEAVE:	Pro-rated based on FTE. Two (2) pro-rated Personal Days per fiscal year; four (4) hours per Personal Day. These are intended to be used to conduct imperative personal business which cannot be conducted outside of normal working hours and are not intended to be used as "vacation" days. There is no carryover of Personal Days from one year to the next.
EVALUATION:	The Assistant Superintendent of Finance and Administration will conduct an annual evaluation based upon observations and specific job description

Knowledge • Responsibility • Respect • Excellence

The District does not discriminate in its programs, activities or employment practices based on race, color, national origin, religion, gender, gender identity, sexual orientation, age or disability.



HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT

requirements by June 30th. The School Committee can request to review the evaluation from the Superintendent as "Official Keeper of Records".

BACKGROUND CHECKS:

Please be informed that District employees are required to comply with MGL Chapter 459 of the Acts of 2012 to submit to national fingerprint-based criminal background checks. Employment is contingent upon satisfactory results from national fingerprint-based criminal background check, and criminal record inquiry (CORI).

RESIGNATION:

If Mr. Gallant intends to leave the District, he agrees to notify the Assistant Superintendent in writing at least thirty (30) days prior to his last day of work for the District.

EMPLOYMENT-AT-WILL:

In accepting our offer of employment, you certify your understanding that your employment will be on an at-will basis, and that neither you nor any District representative has entered into a contract regarding the terms or the duration of your employment. As an at-will employee, you will be free to terminate your employment with the District at any time, with or without cause with 30 days advance notice. Likewise, the District will have the right to reassign you, to change your compensation, or to terminate your employment at any time, with or without cause or advance notice.

Vincent Leone
Assistant Superintendent of Finance & Administration

Donald E. Gallant
District Treasurer

David Polito
School Committee, Chair

Knowledge • Responsibility • Respect • Excellence

The District does not discriminate in its programs, activities or employment practices based on race, color, national origin, religion, gender, gender identity, sexual orientation, age or disability.

AUG 20 PM 5:41



HAMILTON-WENHAM

CUTLER ELEMENTARY SCHOOL

Jennifer Clifford
Principal

237 Asbury Street
Hamilton, MA 01982

August 19, 2019

Please consider the attached gift proposals from the Friends of Cutler to Cutler School. I recommend each one for the following reasons:

1. Our Scholastic Book Fair proceeds allow for donations of books for classroom libraries that would otherwise be unable to be purchased through the budget. This donation benefits all students. (\$1000)
2. Cultural Enrichment activities, our whole school performance assemblies or smaller workshops that are under \$2000 each, are for all students in K-5. We rely on the Friends to fund these enrichment activities each year. (\$10,000)
3. Each grade level utilizes their allocated \$600 to fund one cultural enrichment activity that connects directly with their grade level curriculum. These most often enhance our science curriculum.
4. Field trips and transportation on those trips are subsidized by the Friends of Cutler, which allows for the costs of field trips to be limited to a cap of \$12 per trip for families. Chaperone costs are also subsidized by the Friends. (\$3500)
5. Specialists (art, music, PE, lib/tech) utilize the Friends' donations of \$500 to purchase materials for their classrooms that are not usually funded through the budget. (\$650 total)
6. Classroom teachers purchase many materials with their own funds to get their classrooms up and running. Reimbursement (with receipts) of up to \$50 for each teacher defrays these costs. (\$650 total)
7. Icebreaker Night is a school community event and we do not want the cost of ice cream to stop any family from attending. The Friends have purchased the ice cream and all supplies for the event for several years now and we expect over 95% attendance. (\$1200)
8. The front entrance and surrounding gardens are enhanced each year through Friends donations of funding and volunteer time. (\$500)
9. The gallery and interior entrance are enhanced by the Friends donations each year. (\$250)

Thank you for your consideration,


Jennifer Clifford

August 8, 2019

The Friends of Cutler would like to present the following gifts to Cutler School and request School Committee approval.

1. The Friends would like to purchase books for classroom collections and the library in the amount of \$1000.00 through Scholastic Bucks, the result of the Scholastic Book Fair proceeds.
2. The Friends would like to fund Cultural Enrichment Activities for all students this year with a budget of \$10000. Performances will be for all students in grades K-5.
3. For a total no more than \$3600, the Friends would like to offer to pay for up to \$600 for each grade level to invite a performer or cultural enrichment activity that supports their curriculum content into school. Grade levels determine the presentations that best suit their curricular needs.
4. The Friends would like to provide funds for field trips for up to \$3500 (including chaperone spots).
5. The Friends would like to give each specialist subject (art, music, PE, lib/tech) up to \$500 to purchase materials, for a total of \$2000. The Friends would like to give the counselor up to \$200 to purchase materials.
6. The Friends would like to give each classroom teacher up to \$50 to purchase materials, for a total of \$650.
7. The Friends would like to purchase ice cream for Icebreaker Night for the school, with an approximate cost of \$1200.
8. The Friends would like to purchase fall decorations for the start of school (mums, hay bales), with an approximate cost of \$500.
9. The Friends would like to purchase other seasonal decorations for the school (window stickers, plants), with an approximate cost of \$250.

Respectfully Submitted,

Leslie Potter, leslie_donlon@yahoo.com
Lauren LoMonaco, laurenciareanza@hotmail.com

Friends of Cutler Co-Presidents 2019-20



August 14, 2019

Hamilton-Wenham High School
5 School Street
Wenham, MA 01984

Re: **Adelaide E. Comegys 2011 Trust**

Dear Sir/Madam:

I am pleased to inform you that Adelaide E. Comegys, pursuant to Article THIRD of the Adelaide E. Comegys 2011 Trust dated April 14, 2011, left the Hamilton-Wenham High School a bequest in the amount of \$500 (Five Hundred Dollars). **This gift is for the benefit of the high school library and made in memory of her late daughter, Catherine Comegys.**

Enclosed is a check payable to the Hamilton-Wenham High School in the amount of \$500 and a Receipt, Release and Assent form. To acknowledge receipt of this bequest, please sign and date the Receipt where indicated and return it to me in the enclosed self-addressed stamped envelope.

If you have any questions, please do not hesitate to contact me at 617-292-6772 or nargyriadis@fiduciary-trust.com.

Best regards,

A handwritten signature in blue ink that reads "Nicole M. Argyriadis".

Nicole M. Argyriadis
Trust & Estate Paralegal

**ADELAIDE E. COMEGYS 2011 TRUST
RECEIPT, RELEASE AND ASSENT**

The undersigned hereby acknowledges receipt from Fiduciary Trust Company and Lee Comegys Chafee, Trustees of the Adelaide E. Comegys 2011 Trust dated April 14, 2011, of a bequest under Article THIRD of said Trust in the amount of Five Hundred Dollars (\$500) in full satisfaction.

The undersigned hereby releases and shall hold the Trustees harmless from all claims in connection with said distribution, and without further notice, hereby assents to any and all accounts of the Trustee showing the aforesaid payment.

Date

Hamilton-Wenham High School
By:

FIDUCIARY TRUST COMPANY
53 STATE STREET
BOSTON, MA 02109
TELEPHONE (617) 482-5270



2-13
110

916162

PAY ***Five hundred and 00/100 Dollars***

TO THE ORDER OF
HAMILTON-WENHAM HIGH SCHOOL

DATE	AMOUNT
August 07, 2019	*****\$500.00

BANK OF AMERICA
BOSTON, MA

Donald A Kenser

Dual Signature Required For Amount In Excess of \$50,000.00



⑈916162⑈ ⑆011000138⑆ 00535768⑈

↑ PLEASE DETACH AT PERFORATION ↑

FIDUCIARY TRUST COMPANY
53 STATE STREET
BOSTON, MA 02109
TELEPHONE (617) 482-5270
FAX (617) 482-3774

August 07, 2019

ADVICE OF PAYMENT

*****\$500.00

PAID TO: HAMILTON-WENHAM HIGH SCHOOL

PAID FOR: TRUST EXPENSES

DISTRIBUTION
BEQUEST UNDER ART THIRD

HAMILTON-WENHAM HIGH SCHOOL



HAMILTON-WENHAM
REGIONAL SCHOOL DISTRICT
5 SCHOOL STREET, WENHAM, MA 01984 · TEL. 978-468-5310

2019-2020 School Committee Meeting Schedule (Tentative)

1st + 3rd Wednesday

July 2

July 31

August 7

August 21

September 4

September 18

October 2

October 16

November 6

November 20

December 4

December 18

January 8

SC Adopts Tentative Budget

January 22

February 5

February 12

SC Adopts a Budget

March 4

March 18

April 1

April 4

Annual Town Meeting (tentative)

April 9

Annual Town Election (tentative)

April 15

Reorganization Meeting

May 6

May 20

June 3

June 17

HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT
PROJECTED SIMS Enrollment by School
 (Includes Choice, OOD Tuitioned In)
 as of August 22, 2019

		2014-2015			2015-2016			2016-2017			2017-2018			2018-2019			2019-2020
		OCT	MAR	JUNE	OCT	MAR	JUNE	OCT	MAR	JUNE	OCT	MAR	JUNE	OCT	MAR	JUNE	OCT
BUNKER	K	41	43	43	39	40	40	39	41	41	41	41	40	41	40	43	43
	1	44	44	43	43	43	43	43	43	42	42	41	41	40	41	40	40
	2	41	41	41	42	43	43	45	45	43	43	43	43	38	39	39	41
	3	39	40	40	42	40	40	44	44	44	43	43	41	41	40	40	39
	4	40	41	41	40	40	41	39	41	41	45	44	44	41	41	41	43
TOTAL		256	254	253	248	246	248	255	256	257	257	254	248	245	245	245	253
CUTLER	K	41	41	41	41	41	42	41	41	41	41	41	41	42	42	42	42
	1	51	51	51	41	41	41	40	42	41	40	39	39	41	41	41	44
	2	43	43	42	49	49	49	41	41	40	41	41	41	39	40	40	43
	3	37	36	36	44	44	44	51	51	51	46	46	46	43	43	43	45
	4	42	43	43	30	37	37	43	43	44	57	57	57	45	44	44	45
TOTAL		200	202	203	217	216	217	214	216	217	209	209	209	205	204	204	219
WINTHROP	PK	20	23	26	29	30	32	31	30	26	30	34	38	33	35	35	39
	K	61	61	61	59	59	59	44	44	43	44	42	42	42	43	44	45
	1	33	31	31	31	31	31	36	36	36	40	45	45	40	40	40	45
	2	39	39	39	32	31	31	33	33	30	40	40	41	44	43	43	44
	3	45	45	45	43	42	41	39	39	31	54	53	53	40	40	39	44
TOTAL		208	197	200	202	200	200	202	200	204	205	209	209	201	201	201	228
ARRAS	6	199	197	196	194	195	195	193	192	191	191	191	191	195	194	195	191
	7	139	139	139	136	136	136	134	133	133	134	134	132	125	125	125	140
	4	153	154	153	155	155	154	140	138	137	135	132	132	133	133	132	137
TOTAL		491	490	487	485	486	467	466	461	464	460	458	450	453	453	457	
HWYDHS	6	140	142	142	151	151	151	134	134	134	143	143	144	136	135	134	139
	10	140	137	137	140	134	135	150	149	146	136	134	133	145	143	142	134
	11	143	145	145	157	158	158	133	135	134	148	147	145	137	136	137	145
	12	142	140	140	140	139	137	137	136	134	133	127	128	145	145	145	140
TOTAL		625	624	624	689	682	681	574	574	570	560	551	549	563	559	554	562
GRAND TOTAL		1864	1867	1862	1828	1817	1817	1782	1791	1779	1780	1769	1767	1769	1767	1765	1829

Resident 372 + Choice 21
 Resident 384 + Choice 54
 Resident 501 + Choice 57
 Resident 484 + Choice 68

HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT
 PROJECTED STATE ENROLLMENT BY SCHOOL
 (Includes Choice, OOD Tuitioned In)
 as of August 22, 2019

	2014-2015			2015-2016			2016-2017			2017-2018			2018-2019			2019-2020	
	OCT	MAR	JUNE	OCT	MAR	JUNE	OCT	MAR	JUNE	OCT	MAR	JUNE	OCT	MAR	JUNE	OCT	JUNE
BURNER	K	41	43	43	40	40	39	41	41	41	41	41	43	44	43	44	43
	1	44	44	43	45	45	45	45	45	45	45	45	41	40	40	40	40
	2	41	41	41	42	43	43	43	43	43	43	43	38	39	39	39	41
	3	39	40	40	40	40	40	40	40	40	40	40	41	41	41	41	40
	4	40	41	41	41	40	40	39	41	41	41	41	41	41	41	41	41
TOTAL	290	294	293	290	298	299	295	298	297	297	297	245	248	245	248	245	259
CUTLER	K	41	41	41	41	41	42	41	41	41	41	41	42	42	42	42	42
	1	51	51	51	49	49	49	49	49	49	49	49	49	49	49	49	49
	2	43	43	42	42	42	42	42	42	42	42	42	41	40	40	40	40
	3	37	38	38	38	38	38	38	38	38	38	38	38	38	38	38	38
	4	42	43	43	43	43	43	43	43	43	43	43	43	43	43	43	43
TOTAL	260	263	261	257	255	257	254	254	254	254	254	254	254	254	254	254	254
WINTHROP	PK	20	23	26	29	30	32	32	32	32	32	32	33	33	33	33	33
	K	61	61	61	61	61	61	61	61	61	61	61	61	61	61	61	61
	1	33	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31
	2	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39
	3	45	45	45	47	47	47	47	47	47	47	47	47	47	47	47	47
TOTAL	208	207	200	207	203	203	202	202	202	202	202	201	201	201	201	201	201
MIRMS	4	139	137	136	134	135	135	131	131	131	131	131	132	132	132	132	132
	7	139	137	136	134	135	135	131	131	131	131	131	132	132	132	132	132
	8	153	154	153	153	153	154	150	150	150	150	150	150	150	150	150	150
	TOTAL	431	430	427	407	408	407	407	401	401	401	401	393	391	391	391	391
	HARRIS	9	140	142	142	151	151	151	154	154	154	154	154	156	156	156	156
10		160	157	157	160	158	155	150	150	150	150	150	150	150	150	150	150
11		169	165	162	167	168	168	168	168	168	168	168	168	168	168	168	168
12		162	160	160	160	159	159	159	159	159	159	159	159	159	159	159	159
TOTAL		625	624	621	638	632	631	632	632	632	632	632	632	632	632	632	632
GRAND TOTAL	1864	1867	1862	1828	1817	1817	1782	1791	1779	1780	1769	1767	1769	1767	1765	1828	

plus 3 SP

- Resident 172 - Choice 21
- Resident 301 - Choice 57
- Resident 304 - Choice 54
- Resident 304 - Choice 58

File: AA

SCHOOL DISTRICT LEGAL STATUS

The legal basis for public education in the District is vested in the will of the people as expressed in the Constitution of Massachusetts and state statutes pertaining to education.

Under the General Laws of Massachusetts, _____

"... Every town shall maintain... a sufficient number of schools for the instruction of all children who may legally attend a public school therein."

The public educational system of _____ structurally is a department of the town operated under laws pertaining to education and under regulations of the Massachusetts Board of Education. The area served by the _____ Public Schools is coterminous with the Town of _____

Established by law

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

CROSS REF.: _____ BB, School Committee Legal Status

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. _____

SOURCE: _____ MASC

NOTE: A statement under this code is usually statutory and informational. This statement presents statutory information relating to Massachusetts school districts. Historical notes on the school district's organization and information on its areas or boundaries might also be included.

The cross reference is to a related policy in this reference manual and is offered as a suggestion for cross-referencing your own statement in this category.

The content of a policy at this code for a regional school district would be different from the sample policy above. Regional school districts often refer to the regional agreement with the legal references; many have included a copy of the regional agreement as an exhibit document coded AA-E.

Hamilton-Wenham Regional School District

HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT
-BY-LAWS-

ARTICLE I POWERS AND DUTIES

The regional district school committee, hereinafter called the "Committee", shall have the powers, duties and limitations imposed upon it by law and by the District Agreement, which shall take precedence over any inconsistent provisions of these by-laws. The Committee shall at all times be guided by the best interests of the entire District and shall act in a fair and equitable manner. The Committee shall be open to comments and suggestions from and maintain liaison with officials of the towns of Hamilton and Wenham and shall conduct its affairs in an open and ethical manner, being careful not to disenfranchise any member of the Committee or resident of the member towns.

In carrying out its responsibilities, the Committee shall act as a legislative body, delegating executive functions to the Superintendent of School. It shall act as a committee of the whole. Individual members shall make no commitment for the Committee except when commissioned to do so by the Committee.

ARTICLE II COMMITTEE ORGANIZATION AND OFFICERS

The Committee shall organize in each year at its first regular meeting following the annual district election and shall elect and appoint its officers in accordance with the provisions of the District Agreement. The Committee shall by majority vote make such additional internal appointments and assign responsibilities as it desires. Vacancies among the elected or appointed officials of the Committee may be filled by the Committee at any time. Incapacity shall be determined by a 2/3rds vote of the Committee as a whole.

1. Chairperson – The chairperson shall be and perform the duties of the chairman as prescribed in Chapter 71, Section 16A of the General Laws and the District Agreement, shall preside at all Committee meetings, shall sign for the District legal documents and contracts which have been authorized by the Committee and shall perform such other duties as the Committee may determine. The chairperson shall be entitled to vote on all matters.
 - a. At public presentation and at meetings with town officials or others at which the chairperson is present in his or her official capacity, the chairperson shall not represent or advocate any position other than the majority Committee position.
2. Vice-Chairperson – The vice-Chairperson shall exercise the powers and perform the duties of the Chairperson in the absence or incapacity of the Chairperson. Incapacity shall be determined by 2/3rds vote of the Committee as a whole.
3. Secretary – The secretary shall be responsible for the accuracy of the record of all School Committee business. However, the actual recording, preparation and distribution of minutes may be delegated to the Clerk for the School Committee. The Secretary shall perform the duties specified in the District Agreement and required by law and shall faithfully attest to the actions of the Committee as required.
4. Assistant Secretary – The assistant secretary shall exercise the powers and perform the duties of the secretary in the absence of incapacity of the secretary.

Hamilton-Wenham Regional School District

5. Treasurer – The treasurer, who need not be a member of the Committee, shall be appointed annually by the School Committee. In accordance with general accounting practices, the treasurer may authorize and sign checks for operating expenses of the district. The Treasurer shall receive and take charge of all monies paid to the District or the Committee, and shall deposit the same in such banks as authorized by the Committee. He/she shall render reports of all receipts and disbursements. The treasurer shall sign approved bonds and notes of the District as required by law. He/she will perform all duties required by the Regional Agreement. The Treasurer and the Assistant Treasurer may be compensated by the District. The Treasurer shall be bonded in accordance with the laws of the Commonwealth of Massachusetts (MGL Chapter 41, Sections 35 and 109A).

6. Assistant Treasurer – The assistant treasurer, who need not be a member of the Committee, shall act in the absence or incapacity of the treasurer. In accordance with general accounting practices, the assistant treasurer may authorize and sign checks for operating expenses of the district. The assistant treasurer shall be bonded in accordance with the laws of the Commonwealth of Massachusetts. In the absence of the treasurer, the assistant treasurer shall perform the duties of the treasurer and shall have the powers and be subject to the requirements and penalties applicable to the treasurer.

7. Superintendent of Schools – The superintendent of schools shall act as the executive officer of the Committee. In addition to the duties as specified by law and by the position description adopted by the Committee, the superintendent shall maintain the permanent records of the Committee and shall be custodian of the district seal.

ARTICLE III WORKING GROUP ORGANIZATION

Special working groups, which may include non-Committee members, may be organized with the approval of the Committee to advise the Committee but shall not determine policy or act without the authority of the Committee. Working groups shall be authorized annually with specific charge. Special working groups must comply with the Open Meeting Law, MGL c. 30A, Sec. 18-25.

The appointment of working group members shall be made annually by majority vote of the Committee.

ARTICLE IV MEETINGS

Regular meetings will be held at least two times per month during the academic school year at such times and places as the Committee shall from time to time determine. The School Committee will approve a tentative schedule of meetings for the coming year by the first School Committee meeting in June. Regular meetings falling on holidays will not be held unless the Committee votes to do so, in which event the meeting shall be held on a date on which the Committee may lawfully act. Notice of all meetings shall be given in accordance with the provisions of M.G.L. c. 30A, Sec. 18-25. In addition to the notice required by law, notice of any change in the time, place or date of regular meeting shall be communicated by the Secretary or designee to any members of the Committee who may have been absent from the meeting at which such change was made.

Special meetings may be called by the chairperson and the superintendent acting jointly and shall be called by either of them upon the request of three members. In addition to the notice required by law,

Hamilton-Wenham Regional School District

a notice of all special meetings shall be given to each member of the Committee at least 48 hours prior to the time scheduled for the meeting. Under emergency situations, special meetings may be held with less than 48 hours' notice provided that 2/3rds of all the members of the Committee agree and are present at such special meeting.

Notice of every special meeting shall indicate the matters to be considered thereat and no other business shall be acted upon thereat, except by a 2/3rds vote of those members present.

The agenda and approved minutes of open sessions of all Committee meetings shall be public documents and open for inspection by the public as required by law and placed on the District website. They shall be distributed to such other persons as the committee from time to time determines.

All votes taken in Executive Session shall be recorded roll call votes and shall be part of the record of the Executive Sessions. Minutes of Executive Sessions held in compliance with the Open Meeting Law, the recording or other materials used in the preparation of such minutes and all documents and exhibits used at the session may be withheld from disclosure to the public in their entirety as long as publication may defeat the lawful purposes of the executive session, but no longer. Minutes and related material involving litigation, negotiations, or bargaining position of the School Committee must be disclosed if the litigation, negotiation, or collective bargaining position of the School Committee is no longer jeopardized by the disclosure.

The Committee, the Chair or its designee must at reasonable intervals review the executive session meetings to determine if the provisions of Section 30A Section 22 warrant continued non-disclosure. The determination as to whether the executive session minutes should remain confidential shall be announced at the School Committee's next meeting and included in the minutes of the public meeting.

If the Committee received a request to inspect or copy executive session minutes, the Committee must respond to the request within ten (10) days of receipt of the request and shall release the minutes not covered by the confidentiality exemption under Section 21 f., if the Committee or its designee has not reviewed the minutes, the Committee, the Committee Chair or its designee must review the minutes and release the non-exempt minutes or portion of the minutes within thirty days or the next School Committee meeting whichever occurs first.

Any meeting of the Committee may be adjourned to any succeeding day by vote of a majority of the Committee in attendance of the meeting.

ARTICLE V QUORUM

A quorum for the transaction of business shall be a majority of the members of the Committee. A meeting may not be convened without a quorum.

ARTICLE VI SCHOOL COMMITTEE MEETING – AGENDA, ORDER, AND CONDUCT OF BUSINESS

The agenda and supporting information shall be prepared by the superintendent, in consultation with the chairperson, and shall be provided to each committee member sufficiently in advance of the meeting to allow for study. Any committee member may place an item on the agenda by notifying the Superintendent or Chairperson in advance of its being assembled for distribution.

The agenda must be posted at least 48 hours in advance of the meeting excluding Saturday, Sundays,

Hamilton-Wenham Regional School District

and legal holidays. The notice shall be printed in legible, easily understandable format and shall contain the date, time, meeting location and a listing of topics the chair reasonable anticipates will be discussed at the meeting. In an emergency, the meeting notice may be posted as soon as reasonably possible prior to the meeting.

The agenda shall show all tabled and principal pending items.

he superintendent shall be given the opportunity to make recommendations on all issues to be voted upon by the Committee.

The regular meetings of the School Committee should include:

- Call to Order
- Opportunity for Public Comment
- Reports & Communications
- Old Business
- New Business
- Approval of Minutes
- Adjournment

The chairperson shall have the authority to deviate from the normal order of business in order to give priority time to items and to accommodate guest. Any such decision or other parliamentary decision by the chair may be overruled by a majority of the Committee present.

The minutes of the meeting shall include the Aye and Nay votes and abstentions on the items voted on. Names of those voting in the minority and abstaining shall be so recorded on all main motions and amendments to mail motions. There shall be no votes by secret ballot.

The Chair may add to the agenda items that he/she did not reasonable anticipate needed to be discussed at the meeting. No item not on the agenda, except for brief informative comments, may be introduced for Committee action unless agreed to by 2/3rds vote of those present.

Robert's Rules of Order shall govern the Committee proceedings except when those rules are in conflict with these by-laws.

ARTICLE VII AMENDMENTS

These By-Laws may be amended by a vote of the majority of the Committee as a whole at a regular or special meeting of the Committee, provided notice in writing of the particular change proposed has been mailed to each member at least seven days prior to the regular or special meeting at which the proposed amendment is to be acted upon.

ARTICLE VIII SEVERABILITY

If any article or section of any article of these by-laws is declared unconstitutional or illegal by any court, or if disapproved by any state authority having jurisdiction, the validity of the remaining provisions of these by-laws shall not be affected thereby.

—
—
Hamilton-Wenham Regional School District

Policy Revisions Adopted: 06/05/97, 06/19/97, 04/08/10, 12/01/16, 10/19/17, 10/10/18

THE PEOPLE AND THEIR SCHOOL DISTRICT

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The School Committee has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' expectations for the education of the community's youth. It also has an obligation to determine and assess citizens' desires. When citizens elect delegates to represent them in the conduct of public education, their representatives have the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The School Committee therefore affirms and declares its intent to:

1. Maintain two-way communication with citizens of the community. The public will be kept informed of the progress and problems of the school district, and citizens will be urged to bring their aspirations and feelings about their public schools to the attention of this body, which they have chosen to represent them in the management of public education.
2. 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 the optimal learning of the children enrolled in our schools.
3. Act as a truly representative body for members of the community in matters involving public education. The 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 Committee will not relinquish any of this authority since it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

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SOURCE: MASC

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NOTE: Since this is a reference manual, no adoption dates are given. The date of adoption, and revision dates, if any, should be noted on each policy in a local School Committee's policy manual.

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NONDISCRIMINATION

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Public schools have the responsibility to remove, insofar as possible, any barriers that prevent children from achieving their potential. The following statements confirm the District's intent to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encourage positive interactions between and among children, youth and adults, who all have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Use all appropriate communication and action to air and reduce the grievances of individuals and groups.
4. Review District practices in order to achieve the objectives of this statement to the greatest extent possible.

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

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LEGAL REFS.: 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.

M.G.L. 76:5, 16; 151B:4

603 CMR 26.00 et seq.

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Adopted: 4/4/13

Reviewed: 3/16/17

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SOURCE: Hamilton-Wenham (listed as a draft copy — updated protected class and references)

NONDISCRIMINATION

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school district will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. 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 and ethnic groups.
3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school district 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 whom 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, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related condition. 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, disability, pregnancy or pregnancy related condition, their complaint should be registered with the Title IX compliance officer.

SOURCE: ~~_____~~ MASC

LEGAL REFS.: 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 2011
M.G.L. 76:16
BESE regulations 603CMR 26.00 Amended 2012
BESE regulations 603CMR 28.00

File: AC

CROSS REFS.: ACA- ACE, Subcategories for Nondiscrimination
GBA, Equal Employment Opportunity
JB, Equal Educational Opportunities

~~UPDATED:— March 2018~~

~~NOTE:— This category is for a general policy covering all types of nondiscrimination and relating to students, staff, and others. Federal and state laws apply.~~

~~If a policy relates to staff only, to students only, or a particular form of non-discrimination, it is better filed elsewhere. Appropriate codes for such statements are indicated by the cross-references.~~

~~Regulations pertaining to all forms of nondiscrimination — or a procedure all persons can resort to for redress of grievances related to nondiscrimination — would follow under code AC-R.—~~

~~Law in most instances requires official School Committee approval of regulations in this area.~~

File: ACA

NONDISCRIMINATION ON THE BASIS OF SEX

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school district does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The Committee will designate an individual to act as the school district's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

~~SOURCE: MASC~~

~~UPDATED: June 2012~~

LEGAL REFS.: Title IX of the Education Amendments of 1972
45 CFR, Part 86, (Federal Register, 6/4/75)
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
BESE 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

HARASSMENT PREVENTION & RESPONSE

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I. Policy Preamble: The Hamilton-Wenham Regional School District School Committee is committed to the prevention of harassment based upon sex, race, color, national origin, religion, age, disability, gender identity or sexual orientation. This policy has been developed to ensure that the educational opportunities of all students, and the employment conditions of all employees, are not threatened or limited by such harassment, and to ensure that individuals are free to work, learn, and develop relationships without fear of intimidation, humiliation or degradation.

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This policy defines: unlawful and prohibited conduct; reporting and investigation procedures; and disciplinary sanctions.

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It shall be a violation of this policy for any employee or student of the Hamilton-Wenham Regional School District to harass another employee, adult member of the school community, student, applicant for employment or other person with business to conduct with the Hamilton-Wenham Regional School District, through conduct and communications as defined below. It shall also be a violation of this policy for students to harass other students or staff through conduct or communications of a harassing nature as defined below.

II. Unlawful and Prohibited Conduct Defined: Unlawful and prohibited conduct includes, but is not limited to, actions which are related to a person's sex/gender, race, color, national origin, religion, age, disability, gender identity or sexual orientation when such actions are unwelcome and unsolicited by the recipient.

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Harassment based on a person's race, color, national origin, religion, age, disability or sexual orientation consists of conduct that:

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1. has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive work or education environment;
1. has the purpose of substantially or unreasonably interfering with a person's work or academic performance;
1. or otherwise adversely affects a person's academic standing or employment opportunities.

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III. Sexual/Gender Harassment: Unlawful and prohibited conduct, consisting of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct, or communication of a sexual nature when:

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0. submission to, or rejection of, such conduct or communication is made explicitly or implicitly a term or condition of employment, or education or academic achievement;
0. or, submission to, or rejection of, such behavior is used as a basis for employment or academic decisions;
0. or, such behavior unreasonably interferes with an individual's work or academic performance, or creates an intimidating, hostile, humiliating, or offensive work or educational environment.

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Examples of prohibited behaviors regarding sex, gender, gender identity, race, color, national origin, religion, age, disability, or sexual orientation shall include, but not be limited to, the following examples:

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Verbal conduct: name calling, teasing, jokes or other derogatory or dehumanizing remarks, by an individual or group as in verbal bullying;

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Physical contact: unwelcome touching of a person or person's clothing or any other act of physical intimidation or bullying;

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Written conduct: notes, cartoons, calendars, graffiti, offensive or graphic posters, pictures, book covers, drawings, computer terminal messages or electronic mail (email) of an offensive nature, or designs on clothing meant to offend another on the basis of gender, race, color, national origin, age, disability, sex or sexual orientation or other identifying characteristics;

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Visual conduct: suggestive looks, leering, gesturing of a suggestive nature;

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Blackmail: as in behavior with the intention to control another individual's scholastic achievement or employment status;

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The foregoing list was to provide some concrete examples, but is not meant to be all-inclusive.

IV. Responsibilities: All students, teachers, administrators, and other personnel of the Hamilton-Wenham Regional School District are responsible for creating and maintaining an environment that is free of harassment and other offensive behaviors and for conducting themselves in a manner consistent with the spirit and intent of this policy and in cooperating with any investigation of alleged harassment.

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The subject of harassment should report alleged violations of this policy to the appropriate personnel in accordance with the guidelines and procedures that accompany this policy. What one person might consider as acceptable behavior may be viewed by another as harassment. It is, therefore, suggested that a person make clear to the harasser that the behavior is offensive and must cease.

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The Hamilton-Wenham Regional School District is responsible for the dissemination of this policy and training. The school district responsibilities will ensure that:

1. this policy shall be conspicuously posted throughout each school building in areas accessible to students and staff;

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1. this policy shall appear in staff and student handbooks;

1. the school district will develop a method of discussing this policy with students and employees;

1. the district will appropriately train administrators and others who are assigned and responsible to implement the procedures of this policy;

1. This policy will be reviewed every two years for compliance with state and federal law.

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V. Reporting Harassment:

A. — Students:

Students who believe that they are victims of harassment should report such occurrences to a teacher, counselor, or administrator who will in turn notify a complaint manager, or students may report directly to complaint managers. Notice of each school's complaint managers, whose role is defined below, will be posted in a prominent location in each school.

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B. — Employees:

All Hamilton-Wenham Regional School District employees must respond to a student's complaints of harassment by notifying the building principal or appointed complaint managers. In a case where a student complains of harassment by a teacher or another school department employee, a building administrator and/or his/her designee must investigate the complaint. All student complaints of harassment, including sexual harassment, must always be taken seriously.

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Employees who believe that they are victims of harassment should report such occurrences to the most appropriate of the following potential complaint managers: their immediate or system-wide supervisor, the school building principal, a district administrator, or the Superintendent of Schools, or his/her designee.

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VI. Investigation and Corrective Action:

The Hamilton-Wenham Regional School District will investigate all complaints of harassment. Such investigation may include discussions with all involved parties, identification and questioning of witnesses, and other appropriate actions. Reports of sexual harassment and related information will be kept confidential to the extent consistent with the school's obligations under law.

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Each building principal will appoint two or more complaint managers, at least one of each gender, where possible. The complaint manager shall be responsible for investigating complaints of harassment, communicating the investigatory findings to the Hearing Officer, and recommending discipline as a consequence of harassment.

In a case between a student and an adult, the building principal or another building administrator will act as the complaint manager. In a case involving two or more employees, a building administrator and/or his/her designee will assume the role of the complaint manager. In a case involving a building administrator, a principal, or a district administrator, the Superintendent of Schools, or his/her designee, will act as a complaint manager.

Complaint managers will attend training sessions and workshops as directed. Notice of each school's complaint managers will be posted in a prominent location in each school.

File: ACAB/GBAA/JICK

If the Hamilton-Wenham Regional School District determines that harassment has occurred, it will take appropriate action to end the harassment. Steps that may be taken include, among others, an apology, direction to stop the offensive behavior, counseling or training, warnings, suspensions, exclusion from school-related activities, transfer, remediation, expulsion from schools or termination from employment.

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Disciplinary action will be consistent with the requirements of applicable collective bargaining agreements, Massachusetts and federal laws, and school district policies. Any staff member or student who is dissatisfied with the results or progress of the school's investigation may discuss his/her dissatisfaction directly with the building principal or the Superintendent of Schools, or his/her designee, at the District Administration Building, 5 School Street, Wenham, MA 01984, (978-468-5310).

VII. Retaliation:

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The school administration will discipline or take appropriate action against any student, teacher, administrator, or school personnel who retaliates in any form against a person who makes a complaint or reports or participates in an investigation of a harassment complaint. Acts of retaliation may result in immediate disciplinary action up to and including expulsion or dismissal, even if underlying harassment is not proven. Retaliation is an independent prohibited and unlawful act.

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VIII. Investigation of Child Abuse:

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Under certain circumstances, harassment of a student may constitute child abuse under Massachusetts Law, M.G.L. Ch. 119, Section 51A. The Hamilton-Wenham Regional School District will comply with Massachusetts Law in reporting suspected cases of child abuse. The Hamilton-Wenham Regional School District will report suspected criminal activity to the local police.

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IX. Right to Alternative Complaint Procedures:

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These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Massachusetts Department of Education, 350 Main Street, Maiden, MA 02148, (617-388-3300); Massachusetts Commission Against Discrimination, Boston Office, One Ashburton Place, Boston, MA 02188, (617-727-3990); Equal Employment Opportunity Commission, 10 Congress Street, Boston, MA 02114, (617-565-3200); and the Office of Civil Rights of the U.S. Department of Education, J.F.K. Federal Building, Room 1875, Boston, MA 02203, (617-565-1340); initiating civil action or seeking redress under criminal statutes and/or federal law.

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X. Policy Review and Revision:

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This policy and its procedures will be reviewed every two years for compliance with state and federal law. Review and revision of these policies and procedures shall occur as needed, but at least every two years.

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LEGAL REFS.: Title VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
M.G.L. 151B (prohibiting employment discrimination based on gender);
M.G.L. 214:1C (right to be free from sexual harassment);
M.G.L. 76:5 (prohibiting educational discrimination in public schools);
M.G.L. 265:43 (prohibiting stalking);
M.G.L. 269:17 (prohibiting hazing);
M.G.L. 119:51A (reporting of suspected child abuse);
Other relevant statutes and case law

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Adopted: 12/19/02

Reviewed: 11/6/08

SOURCE: Hamilton-Wenham

SEXUAL HARASSMENT

All persons associated with the Hamilton Wenham Regional School District (HWRSD) including, but not necessarily limited to, the Committee, the administration, staff, and students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting, as a member of the school community, will be in violation of this policy. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating in an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.

Because the HWRSD School Committee takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace and school environment that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace or school conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definition of Sexual Harassment: Unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

The Grievance Officer: {Name, Office, Address, Phone Number}

~~The Committee will annually appoint a sexual harassment grievance officer. The Grievance Officer for the District is the Human Resources Administrator, who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out below:~~

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Complaint Procedure:

1. Any member of the school community who believes that they have been subjected to sexual harassment will report the incident (s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.
2. The grievance officer will attempt to resolve the problem in an informal manner through the following process:
 - a. The grievance officer will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses.

File: ACAB

- b. The grievance officer will then attempt to meet with the charged party in order to obtain their response to the complaint.
 - c. The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.
 - d. On the basis of the grievance officer's perception of the situation they may:
 - Attempt to resolve the matter informally through reconciliation.
 - Report the incident and transfer the record to the Superintendent or their designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the Superintendent or designee may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the committee for termination or expulsion. At this stage of the proceedings the parties may present witnesses and other evidence, and may also be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters involving sexual harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct.
4. The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.

SOURCE:—MASC

LEGAL REFS.: 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

GRIEVANCE PROCEDURE

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The Hamilton-Wenham Regional School District does not discriminate on the basis of disability in admission, access to services, treatment or employment in its programs or activities. Any complaints of discrimination in violation of federal law should be addressed through the following grievance procedure:

STEP 1: MEETING WITH SECTION 504 BUILDING COORDINATOR

Complainants are encouraged to try to resolve problems promptly through informal dispute resolution. The complainant shall meet informally with the person designated as the Section 504 coordinator for the building ("Section 504 Building Coordinator") wherein the circumstances giving rise to the grievance arose in order to discuss his/her complaint. The Building Coordinator will investigate, documenting all steps (including dates and nature of meetings, disposition and dates of disposition), and will reply in writing within five business days of the initial meeting.

STEP 2: WRITTEN COMPLAINT

If the complaint is not satisfactorily resolved through Step 1, the complainant may file a written grievance with the Section 504 Building Coordinator within ten (10) business days of disposition at Step 1. The written complaint must include:

- A clear statement of the alleged violation.
- The remedy sought by the complainant.
- The complainant's signature and the date.

The Section 504 Building Coordinator will conduct a full investigation of the grievance and will prepare a written report of the investigation that will include:

- A clear statement of the allegations of the grievant and remedy sought.
 - A statement of the facts as contended by each party.
 - A statement of the facts as found by the coordinator and evidence to support each fact.
- A list of witnesses interviewed and documents reviewed during the investigation.
- A narrative describing attempts to resolve the grievance if valid.

The Building Coordinator will submit said report to the Superintendent of Schools/Section 504 District Coordinator for review. If the Building Coordinator believes the grievance is valid, the Building Coordinator will recommend appropriate action to the Superintendent of Schools/Section 504 District Coordinator.

The report will be filed with the Superintendent/Section 504 District Coordinator within fifteen (15) days of receipt of the written grievance. A copy of the report will be provided to the complainant.

The Superintendent/Section 504 District Coordinator will make necessary findings based upon the investigation and report of the Building Coordinator and if the grievance is valid, the Superintendent/Section 504 District Coordinator may accept the Building Coordinator's recommendations

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and/or make other appropriate recommendations in his/her discretion. Any and all recommendations of the Superintendent/Section 504 District Coordinator shall immediately be implemented by the District. A copy of the Superintendent/Section 504 District Coordinator's findings and/or recommendations will be provided to the complainant.

STEP 3: APPEAL TO THE BUREAU OF SPECIAL EDUCATION APPEALS

If the complaint is not satisfactorily resolved through Step 2, the complainant may file a written appeal to the Board of Education, Bureau of Special Education Appeals. The proceedings will be presided over and decided by an impartial hearing officer appointed by the Bureau.

OCR COMPLAINT

At any stage in this grievance procedure, the complainant has the right to file formal complaints with the Regional Office for Civil Rights, 90 Devonshire Street, Boston, Massachusetts 02109. Telephone: (617) 223-9662.

Adopted: 10/21/99
Reviewed: 3/16/17

SOURCE: Hamilton-Wenham

2 of 2

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NONDISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition: A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.

Reasonable Modification: The District shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Communications: The District shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services: "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification: The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

File: ACE

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator: The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school district receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair; and
2. To the extent possible, qualified disabled persons should be in the mainstream of life in the school community. Accordingly, employees of the school district will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of disability.

SOURCE: MASC July 2016

LEGAL REFS.: Rehabilitation Act of 1973, Section 504, as amended
Education for All Disabled Children Act of 1975
M.G.L. **71B:1** et seq. (Chapter 766 of the Acts of 1972)
Title II, Americans with Disabilities Act of 1992, as amended
Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

CROSS REFS.: **I**GB, Support Services Programs

~~NOTE: Due to federal and state laws, many school committees are adopting policies and extensive regulations pertaining to Nondiscrimination on the Basis of Disability. At times, policy, regulations, and specific plans for action are combined in one long statement presented as policy. Other school districts present policy and regulatory statements separately.~~

File: AD

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MISSION STATEMENT

~~In today's society our children are continuously excited by new and challenging stimuli; adaptability to change therefore becomes a paramount objective of learning.~~

~~The mastery of basic skills is essential to our children as they prepare to function as responsible individuals. Children must also know how to direct their own learning by mastering the skills of independent inquiry, because circumstances do not enable us to predict with certainty just what today's children will need to know when they become tomorrow's adults. The optimum environment should be sought so that all children can develop physically and emotionally and acquire the information, academic skills, critical judgment, and creativity needed to lead to a better understanding of themselves, each other, and the world around them.~~

~~The school district must continually strive to create, implement, and improve programs that are compatible with appropriate curricula and provide opportunities for innovation in teaching and learning. If this is accomplished, children will then come to realize more fully their own potential as individuals and be better prepared to appreciate and act responsibly in the society in which they live.~~

SOURCE: _____ MASC

CROSS REFS.: _____ IA, Instructional Goals

~~NOTE: The cross references are to related sample policies in this manual. They are also examples of cross references that may be useful in an individual School Committee's policy manual.~~

File: ADC

TOBACCO-FREE SCHOOL

The Education Reform Act of 1993 requires all public schools to become smoke-free. Massachusetts General Laws, Chapter 71, sections 2A and 37H prohibit the use of any tobacco products within the school buildings, the school facilities, the school grounds or on school buses by any individual, including school personnel. The law also makes it unlawful for any student, enrolled in either primary or secondary public schools in the commonwealth, to use tobacco products of any type on school grounds during normal school hours. In addition, the Hamilton-Wenham Regional School District prohibits the use of tobacco, tobacco products, or smoking paraphernalia at school-sponsored events, on school trips (while in school groups), or at school bus stops. Smoking paraphernalia includes but not limited to: cigarettes, snuff, chewing tobacco, pipes, and cigarette papers. These tobacco prohibitions extend to all property controlled by the school committee and to all individuals who are present on such property.

The Hamilton-Wenham Regional School District is committed to providing students with a positive learning environment that encourages students to focus on personal health for life. The district also encourages staff to focus on their personal health and to recognize that they are role models for students. Therefore, the district supports a no-use policy on tobacco products. Tobacco cessation support programs are offered as needed for staff.

The following procedures and regulations will be implemented in the enforcement of the Tobacco-Free School Policy of the Hamilton-Wenham Regional School District:

Students

Any alleged violation of this policy by any student(s) shall result in the student(s) being referred to the building administrator. Students who violate the provisions of this policy shall be subject to building discipline procedures as outlined in the student handbook.

School Personnel

Hamilton-Wenham Regional School District

~~This law supersedes negotiated contracts for school personnel. Any alleged violation of the policy by staff shall be referred to the appropriate supervisor.~~

Visitors

~~Visitors who violate the Tobacco-Free Policy will be asked to abide by the policy or leave the premises.~~

~~Adopted: 3/13/97~~

~~Reviewed: 3/16/17~~

~~SOURCE: Hamilton-Wenham~~

File: ADC

USE OF TOBACCO PRODUCTS PROHIBITED ON SCHOOL PREMISES

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Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law. Visitors who violate this policy will be asked to abide by the policy or leave the premises.

SOURCE: MASC July 2016

LEGAL REF: M.G.L. [71:37H](#); [270:6](#)

CROSS REFS.: GBED, Tobacco use on School Property by Staff Members Prohibited
JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

BACKGROUND CHECKS

It shall be the policy of the 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 School Committee, Superintendent or Principal, as appropriate, may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the School Committee, school or employed by the city or town 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.

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.

File: ADDA

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

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. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

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 SAFIS and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

2 of 7

File: ADDA

Determining Suitability

In determining an individual's suitability, the following factors will be considered: 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 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;

File: ADDA

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 days to correct or complete the CHRI.

If a school employer receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, the school employer may request that an individual, after providing him a copy of said background check, provide additional information regarding the results of the criminal background checks to assist the school employer in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter 151B, S. 4,(9,9 ½). Furthermore, in exigent circumstances, a school employer may, pursuant to the terms of DESE regulations (see specific regulations in legal references), hire an employee on a conditional basis without first receiving the results of a national criminal background check. After exhausting several preliminary steps as contained in the above referenced regulation the district may require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be asked to provide information about juvenile adjudications or sealed convictions. The superintendent is advised to confer with legal counsel whenever he/she solicits information from an individual concerning his/her history of criminal convictions.

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

4 of 7

Hamilton-Wenham Regional School District

File: ADDA

in writing within 30 days of the employer's 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, Principal, or their 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, Principal, or their 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."

5 of 7

File: ADDA

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 Principal or Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to local counsel for appropriate action. Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent, Principals or their 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, 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 compliant 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.

6 of 7

File: ADDA

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](#)

Adopted: 1/22/15
Reviewed: 3/16/17

SOURCE: Hamilton-Wenham

Note: The MASC Reference Manual replaces "his/her" with "their" and "he/she" with "they"

File: ADDA-R

DCJIS MODEL CORI POLICY

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.

File: ADDA-R

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.

~~Adopted: 1/22/15~~
~~Reviewed: 3/16/17~~

~~SOURCE: Hamilton-Wenham~~

~~Note: The MASC Reference Manual replaces "his/her" with "their."~~

**CORI POLICY FOR OWNERS OF CHALLENGE COURSES FOR CONDUCTING
CRIMINAL HISTORY INQUIRIES**

I. Policy Purpose

Pursuant to the regulations pertaining to the operation of Climbing Walls contained in 520 CMR 5.15, owners of companies that operate Climbing Walls are required to conduct criminal history inquiries on certain applicants for employment. The procedure described below has been adopted by the Hamilton-Wenham Regional School District for Criminal Offender Record Inquiries.

II. Scope

The policy shall apply to all applicants 18 years of age or older for the positions of:

- a. Challenge Course Manager; and
- b. Challenge Course Staff.

III. Process

1. The Hamilton-Wenham Regional School District will register annually for iCORI service, a secure web-based service through which organizations will request and receive Criminal Offender Record Information ("CORI"), at www.mass.gov/cjis.
2. Upon application for any of the above positions, an applicant shall provide to the Hamilton-Wenham Regional School District a completed CORI Acknowledgement Form provided by the Department of Criminal Justice Information Services (DCJIS). CORI checks will only be conducted as authorized by the DCJIS and M.G.L. c. 6, § 172, and only after a CORI Acknowledgement Form has been completed. CORI will only be accessed for applicants who are otherwise qualified for the position for which they have applied. If a new CORI check is to be made on an applicant within one year of his/her signing of the CORI Acknowledgement Form, the applicant shall be given 72 hours notice that a new CORI check will be conducted.
3. The applicant shall be informed in writing either on the face of the application or in an attached written document that by completing the CORI Acknowledgment Form, the applicant is consenting to a criminal background inquiry which shall be used to determine suitability for employment. The applicant shall be further informed on the face of the application or in an attached written document that consideration for employment will only be granted upon completion of both the application and the CORI Acknowledgement Form.
4. All CORI obtained from the DCJIS is confidential, and access to the information is 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 Hamilton-Wenham Regional School District will maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list will be updated every six months and is subject to inspection upon request by the DCJIS and/or the Department of Public Safety at any time.

File: ADDA-R-1

5. The Hamilton-Wenham Regional School District shall maintain a secondary dissemination log to record any dissemination of CORI outside of the District, including dissemination at the request of the applicant.
6. All personnel authorized to review or access CORI at the Hamilton-Wenham Regional School District will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.
7. Once the applicant provides consent to conduct a criminal background inquiry, the Hamilton-Wenham Regional School District shall submit a CORI request using the iCORI service. In most cases, results will be returned instantaneously.
8. In the event that results are not returned instantaneously and circumstances require an expedited employment decision, the following procedures shall apply:
 - a. A temporary offer of employment may be made to an applicant on the express condition that the Hamilton-Wenham Regional School District has submitted applicant's CORI request prior to the temporary offer of employment.
 - b. Any temporary employment shall expire at the conclusion of 14 days following acceptance and may not be renewed.
 - c. During the period of temporary employment, the applicant shall be under the direct supervision of an employee who has previously undergone a completed CORI.
9. At such time as the results of CORI are made available, the Hamilton-Wenham Regional School District shall act expeditiously to make a determination of suitability of employment. Factors considered in determining suitability may include, but not be limited to: (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 applicant 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; (i) any other relevant information, including information submitted by the applicant or requested by the Hamilton-Wenham Regional School District.
10. In the event that the applicant is to be questioned regarding his or her criminal record, the applicant shall be provided with a copy of the criminal history record prior to questioning and the source of the criminal history record shall be disclosed.
11. In the case of a negative employment decision, the applicant shall be notified immediately and shall be provided with:
 - a. A copy of the Hamilton-Wenham Regional School District's CORI policy;
 - b. A copy of the CORI;
 - c. A copy of Information Concerning the Process in Correcting a Criminal Record as provided by DCJIS.

The applicant shall have the opportunity to dispute the accuracy of the CORI.

2 of 3

Hamilton-Wenham Regional School District

File: ADDA-R-1

Source: Department of Public Safety (DPS) 2016
References: HWRSD Policy A1008 – DCJIS Model CORI Policy
HWRSD Policy A1016 – Background Checks

Adopted: 6/23/16
Reviewed: 3/16/17

~~SOURCE: Hamilton-Wenham~~

WELLNESS

~~Introduction~~

~~The Hamilton-Wenham Regional School District (HWRSD) is committed to providing a school environment that enhances learning and development of lifelong wellness practices. Driven by the District's Core Value to develop the whole child, including academic abilities and physical and emotional well-being guided by the district's strategic plan, and the Massachusetts Coordinated School Health Program and in accordance with the Child Nutrition and WIC Reauthorization Act of 2004 a local Wellness Policy has been developed with input from teachers, administrators and community members.~~

~~Health Education~~

~~HWRSD will implement a planned, sequential, pre-K-12 curriculum that addresses the physical, mental, emotional and social dimensions of health and that is aligned with the Mass Health and PE Frameworks and existing district policies. Standards for nutrition education will be included within the preK-12 health education curriculum.~~

~~Physical Activity~~

~~HWRSD will implement a planned, sequential, pre-K-12 physical education curriculum that addresses the physical, social, emotional and cognitive development of all students. This program will provide a variety of developmentally appropriate activities that are interwoven with sound standards, benchmarks, and assessments to focus on student learning. Opportunities for learning experiences in a variety of activity areas, including physical education, teams and sports clubs, and co-curricular activities will be provided. Daily directed physical movement will be promoted at all levels.~~

~~Healthy Eating~~

~~HWRSD will:~~

- ~~• Provide reimbursable student meals that meet state and federal guidelines;~~
- ~~• Offer a variety of nutritious, affordable and appealing foods that accommodate the health and nutrition needs of all students;~~
- ~~• Develop nutrition guidelines for all foods available on each school campus during the school day, with the objective of promoting student health and reducing childhood obesity;~~
- ~~• Monitor foods available on all school campuses to assure adherence to these guidelines;~~
- ~~• Make nutritional recommendations for foods served in school-related activities beyond the school day.~~

~~Health Promotion for Staff~~

~~HWRSD will identify and recommend informal opportunities and resources that support school staff as they model healthy wellness practices within the district~~

~~Healthy School Environment~~

~~HWRSD will promote safe, healthy, well-maintained surroundings that support a culture of caring, respect and responsibility.~~

~~Family/Community Involvement~~

~~HWRSD will make efforts to gather resources, define services, provide programs and respond to the health needs of HWRSD students and families. In addition, the district may also support other broad-based groups that promote wellness as they are created within our communities.~~

~~Policy Review and Revision~~

~~This policy and its procedures will be reviewed every two years for compliance with state and federal law. Review and revision of these policies and procedures shall occur as needed, but at least every two years.~~

LEGAL REFS.: ~~Child Nutrition and WIC Reauthorization Act of 2004
Richard B. Russell National School Lunch Act
Child Nutrition Act of 1996
Healthy, Hunger-Free Kids Act of 2010
Massachusetts General Laws:
e.71 s.3 (physical education)
e.69 s.1c (nutritional standards and food services in public school)
e.71 c. 2a (tobacco, student use)
e.71, 337h (tobacco, use on school grounds)~~

Adopted: 6/15/06
Reviewed: 12/18/14

SOURCE: ~~Hamilton-Wenham~~

~~Materials provided had 2 Wellness Policies—the one below is listed as a copy but text differs~~

2 of 2

File: ADF

Hamilton-Wenham Regional School District

WELLNESS

A. Introduction

The Hamilton-Wenham Regional School District (HWRSD) is committed to providing a school environment that enhances learning and development of lifelong wellness practices. Driven by the District's Core Value to develop the whole child, including academic abilities and physical and emotional well-being guided by the district's strategic plan, the Alliance for a Healthier Generation Program and in accordance with the Healthy, Hunger Free Kids Act of 2010 a local Wellness Policy has been developed by the District Wellness Committee. In addition to the policy a Wellness Guideline document has been created by the District Wellness Committee providing further detail about each section of the policy.

B. Wellness Committee

The mission of the Hamilton-Wenham Regional School District Wellness Committee is to provide a Whole School, Whole Community, Whole Child approach to physical, mental, social and emotional health promoting innovative learning and skill development as the foundation for academic success and personal achievement, thereby instilling a supportive and health literate climate for all students, teachers, staff, and community. For more information, read page 4 of the HWRSD Wellness Guideline.

C. Health Education

HWRSD will implement a planned, sequential; pre K-12 curriculum that addresses the physical, mental, emotional and social dimensions of health and that is aligned with the Mass Health Frameworks, the National Health Education Standards and existing district policy H8047. Standards to reduce student participation in risk behaviors such as nutrition, sexuality, tobacco, alcohol & other drugs, social & emotional, and violence prevention education will be included within the preK-12 health education curriculum. For more information, read page 13 of the HWRSD Wellness Guideline.

D. Physical Activity

HWRSD will implement a planned, sequential, pre K-12 physical education curriculum that addresses the physical, social, emotional and cognitive development of all students following the Mass Physical Education Frameworks and the National Physical Education Standards. This program will provide a variety of developmentally appropriate activities that are interwoven with sound standards, benchmarks, and assessments to focus on student learning. Opportunities for learning experiences in a variety of activity areas, including physical education, teams and sports clubs, recess in K-8, and co-curricular activities will be provided. Daily directed physical movement will be promoted at all levels. For more information, read page 10 of the HWRSD Wellness Guideline.

E. Nutrition

HWRSD will:

- Provide reimbursable student meals that meet state and federal guidelines;
- Offer a variety of nutritious, affordable and appealing foods that accommodate the health and nutrition needs of all students;
- Develop nutrition guidelines for all foods available on each school campus during the school day, with the objective of promoting student health and reducing childhood obesity;
- Monitor foods available on all school campuses to assure adherence to these guidelines;
- Make nutritional recommendations for foods served in school-related activities beyond the school day.

For more information, read page 8 of the HWRSD Wellness Guideline.

F. Guidance and Counseling

HWRSD will create a planned, sequential preK-12 guidance workshops and counseling services following the Massachusetts Model for Comprehensive School Counseling Programs of 2017. In the high school, school counselors co-teach with wellness teachers promoting social and emotional competencies defined by CASEL (2017) promoting lifelong wellness practices for students and the larger school community. For more information, read page 13 of the HWRSD Wellness Guideline.

G. Health Services

HWRSD will provide preventative care and intervention strategies aligned with the Massachusetts School Health Services and MA Department of Public Health policy and guidelines and existing district policy H8045. For more information, read page 15 of the HWRSD Wellness Guideline.

H. Health Promotion and Professional Learning for Staff

HWRSD will identify and recommend informal opportunities and resources that support school staff as they model healthy wellness practices within the district. For more information, read page 15 of the HWRSD Wellness Guideline.

I. Healthy School Environment

HWRSD will promote safe, healthy, well-maintained surroundings that support a culture of caring, respect and responsibility. For more information, read page 15 of the HWRSD Wellness Guideline.

J. Family/Community Involvement

HWRSD will make efforts to gather resources, define services, provide programs and respond to the health needs of HWRSD students and families. In addition, the district may also support other broad-based groups that promote wellness as they are created within our communities. For more information, read page 15 of the HWRSD Wellness Guideline.

SCHOOL DISTRICT WELLNESS PROGRAM

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

Wellness Committee

The school district will establish a wellness committee that consists of at least one (1) parent/guardian, student, nurse, school food service representative, School Committee member, school administrator, member of the public, and other community members as appropriate. If available, a qualified, credentialed nutrition professional will be a member of the wellness committee. The school committee designates the following individual(s) as wellness program coordinator(s): _____ (title). Only employees of the district who are members of the wellness committee may serve as wellness program coordinators. Wellness coordinators, in consultation with the wellness committee, will be in charge of implementation and evaluation of this policy.

Nutrition Guidelines

It is the policy of the school district that all foods and beverages made available on campus during the school day are consistent with 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 create procedures that address all foods available to students throughout the school day in the following areas:

- guidelines for maximizing nutritional value by decreasing fat and added sugars, increasing nutrition density and moderating portion size of each individual food or beverage sold within the school environment;
- separate guidelines for foods and beverages in the following categories:
 1. foods and beverages included in a la carte sales in the food service program on school campuses;
 2. foods and beverages sold in vending machines, snack bars, school stores, and concession stands;
 3. foods and beverages sold as part of school-sponsored fundraising activities; and
 4. refreshments served at parties, celebrations, and meetings during the school day; and
 5. specify that its guidelines will be based on nutrition goals, not profit motives.

Nutrition and Physical Education

The school district will provide nutrition education aligned with standards established by the USDA's National School Lunch Program and the School Breakfast Program in all grades. The school district will provide physical education training aligned with the standards established by the Dept. of Elementary and Secondary Education. The wellness program coordinators, in consultation with the wellness committee, will develop procedures that address nutrition and physical education.

Nutrition Education

The following list contains examples of goals your school district may want to consider for inclusion in its policy. Each school district must determine its own goals and include them in its policy.

- Students receive nutrition education that teaches the skills they need to adopt and maintain healthy eating behaviors.
- Nutrition education is offered in the school cafeteria as well as in the classroom, with coordination between the foodservice staff and other school personnel, including teachers.
- Students receive consistent nutrition messages from all aspects of the school program.
- Division health education curriculum standards and guidelines address both nutrition and physical education.
- Nutrition is integrated into the health education or core curricula (e.g., math, science, language arts).
- Schools link nutrition education activities with the coordinated school health program.
- Staff who provide nutrition education have appropriate training.
- The level of student participation in the school breakfast and school lunch programs is appropriate.

Physical Education Activities

The following list contains examples of goals your school district may want to consider for inclusion in its policy. Each school district must determine its own goals and include them in its policy.

- Students are given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, and the integration of physical activity into the academic curriculum where appropriate.
- Students are given opportunities for physical activity through a range of before and/or after school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs.
- Schools work with the community to create ways for students to walk, bike, rollerblade or skateboard safely to and from school.
- Schools encourage parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.
- Schools provide training to enable staff to promote enjoyable, lifelong physical activity among students.

Other School Based Activities:

The wellness program coordinators, in consultation with the wellness committee, are charged with developing procedures addressing other school based activities to promote wellness.

The following list contains examples of goals your school district may want to consider for inclusion in its policy. Each school district must determine its own goals and include them in its policy.

File: ADF

- ~~• An adequate amount of time is allowed for students to eat meals in adequate lunchroom facilities.~~
- ~~• All children who participate in subsidized food programs are able to obtain food in a non-stigmatizing manner.~~
- ~~• Environmentally friendly practices such as the use of locally grown and seasonal foods, school gardens, and non-disposable tableware have been considered and implemented where appropriate.~~
- ~~• Physical activities and/or nutrition services or programs designed to benefit staff health have been considered and, to the extent practical, implemented.~~

Evaluation:

~~The wellness committee will assess all education curricula and materials pertaining to wellness for accuracy, completeness, balance and consistency with the state and district's educational goals and standards. Wellness program coordinators shall be responsible for devising a plan for implementation and evaluation of the district wellness policy and are charged with operational responsibility for ensuring that schools meet the goals of the district wellness policy. Wellness program coordinators will report to the School Committee annually.~~

~~SOURCE: MASC~~

~~ADOPTED: April 20, 2006~~

~~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.: EFC, Free and Reduced-Cost Food Services
IHAMA, Teaching About Alcohol, Tobacco and Drugs
KI, Public Solicitations/Advertising in District Facilities~~

File: A6

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.

SOURCE: MASC

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HAMILTON-WENHAM REGIONAL SCHOOL DISTRICT

-BY-LAWS-

ARTICLE I POWERS AND DUTIES

The regional district school committee, hereinafter called the "Committee", shall have the powers, duties and limitations imposed upon it by law and by the District Agreement, which shall take precedence over any inconsistent provisions of these by-laws. The Committee shall at all times be guided by the best interests of the entire District and shall act in a fair and equitable manner. The Committee shall be open to comments and suggestions from and maintain liaison with officials of the towns of Hamilton and Wenham and shall conduct its affairs in an open and ethical manner, being careful not to disenfranchise any member of the Committee or resident of the member towns.

In carrying out its responsibilities, the Committee shall act as a legislative body, delegating executive functions to the Superintendent of School. It shall act as a committee of the whole. Individual members shall make no commitment for the Committee except when commissioned to do so by the Committee.

ARTICLE II COMMITTEE ORGANIZATION AND OFFICERS

The Committee shall organize in each year at its first regular meeting following the annual district election and shall elect and appoint its officers in accordance with the provisions of the District Agreement. The Committee shall by majority vote make such additional internal appointments and assign responsibilities as it desires. Vacancies among the elected or appointed officials of the Committee may be filled by the Committee at any time. Incapacity shall be determined by a 2/3rds vote of the Committee as a whole.

1. Chairperson – The chairperson shall be and perform the duties of the chairman as prescribed in Chapter 71, Section 16A of the General Laws and the District Agreement, shall preside at all Committee meetings, shall sign for the District legal documents and contracts which have been authorized by the Committee and shall perform such other duties as the Committee may determine. The chairperson shall be entitled to vote on all matters.
 - a. At public presentation and at meetings with town officials or others at which the chairperson is present in his or her official capacity, the chairperson shall not represent or advocate any position other than the majority Committee position.
2. Vice-Chairperson – The vice-Chairperson shall exercise the powers and perform the duties of the Chairperson in the absence or incapacity of the Chairperson. Incapacity shall be determined by 2/3rds vote of the Committee as a whole.
3. Secretary – The secretary shall be responsible for the accuracy of the record of all School Committee business. However, the actual recording, preparation and distribution of minutes may be delegated to the Clerk for the School Committee. The Secretary shall perform the duties specified in the District Agreement and required by law and shall faithfully attest to the actions of the Committee as required.

4. Assistant Secretary – The assistant secretary shall exercise the powers and perform the duties of the secretary in the absence of incapacity of the secretary.
5. Treasurer – The treasurer, who need not be a member of the Committee, shall be appointed annually by the School Committee. In accordance with general accounting practices, the treasurer may authorize and sign checks for operating expenses of the district. The Treasurer shall receive and take charge of all monies paid to the District or the Committee, and shall deposit the same in such banks as authorized by the Committee. He/she shall render reports of all receipts and disbursements. The treasurer shall sign approved bonds and notes of the District as required by law. He/she will perform all duties required by the Regional Agreement. The Treasurer and the Assistant Treasurer may be compensated by the District. The Treasurer shall be bonded in accordance with the laws of the Commonwealth of Massachusetts (MGL Chapter 41, Sections 35 and 109A).
6. Assistant Treasurer – The assistant treasurer, who need not be a member of the Committee, shall act in the absence or incapacity of the treasurer. In accordance with general accounting practices, the assistant treasurer may authorize and sign checks for operating expenses of the district. The assistant treasurer shall be bonded in accordance with the laws of the Commonwealth of Massachusetts. In the absence of the treasurer, the assistant treasurer shall perform the duties of the treasurer and shall have the powers and be subject to the requirements and penalties applicable to the treasurer.
7. Superintendent of Schools – The superintendent of schools shall act as the executive officer of the Committee. In addition to the duties as specified by law and by the position description adopted by the Committee, the superintendent shall maintain the permanent records of the Committee and shall be custodian of the district seal.

ARTICLE III WORKING GROUP ORGANIZATION

Special working groups, which may include non-Committee members, may be organized with the approval of the Committee to advise the Committee but shall not determine policy or act without the authority of the Committee. Working groups shall be authorized annually with specific charge. Special working groups must comply with the Open Meeting Law, MGL c. 30A, Sec. 18-25.

The appointment of working group members shall be made annually by majority vote of the Committee.

ARTICLE IV MEETINGS

Regular meetings will be held at least two times per month during the academic school year at such times and places as the Committee shall from time to time determine. The School Committee will approve a tentative schedule of meetings for the coming year by the first School Committee meeting in June. Regular meetings falling on holidays will not be held unless the Committee votes to do so, in which event the meeting shall be held on a date on which the Committee may lawfully act. Notice of all meetings shall be given in accordance with the provisions of M.G.L. c. 30A, Sec. 18-25. In addition to the notice required by law, notice of any change in the time, place or date of regular meeting shall be communicated by the Secretary or designee to any members of the Committee who may have been absent from the meeting at which such change was made.

Special meetings may be called by the chairperson and the superintendent acting jointly and shall be called by either of them upon the request of three members. In addition to the notice required by law, a notice of all special meetings shall be given to each member of the Committee at least 48 hours prior to the time scheduled for the meeting. Under emergency situations, special meetings may be held with less than 48 hours' notice provided that 2/3rds of all the members of the Committee agree and are present at such special meeting.

Notice of every special meeting shall indicate the matters to be considered thereat and no other business shall be acted upon thereat, except by a 2/3rds vote of those members present.

The agenda and approved minutes of open sessions of all Committee meetings shall be public documents and open for inspection by the public as required by law and placed on the District website. They shall be distributed to such other persons as the committee from time to time determines.

All votes taken in Executive Session shall be recorded roll call votes and shall be part of the record of the Executive Sessions. Minutes of Executive Sessions held in compliance with the Open Meeting Law, the recording or other materials used in the preparation of such minutes and all documents and exhibits used at the session may be withheld from disclosure to the public in their entirety as long as publication may defeat the lawful purposes of the executive session, but no longer. Minutes and related material involving litigation, negotiations, or bargaining position of the School Committee must be disclosed if the litigation, negotiation, or collective bargaining position of the School Committee is no longer jeopardized by the disclosure.

The Committee, the Chair or its designee must at reasonable intervals review the executive session meetings to determine if the provisions of Section 30A Section 22 warrant continued non-disclosure. The determination as to whether the executive session minutes should remain confidential shall be announced at the School Committee's next meeting and included in the minutes of the public meeting.

If the Committee received a request to inspect or copy executive session minutes, the Committee must respond to the request within ten (10) days of receipt of the request and shall release the minutes not covered by the confidentiality exemption under Section 21 f., if the Committee or its designee has not reviewed the minutes, the Committee, the Committee Chair or its designee must review the minutes and release the non-exempt minutes or portion of the minutes within thirty days or the next School Committee meeting whichever occurs first.

Any meeting of the Committee may be adjourned to any succeeding day by vote of a majority of the Committee in attendance of the meeting.

ARTICLE V QUORUM

A quorum for the transaction of business shall be a majority of the members of the Committee. A meeting may not be convened without a quorum.

ARTICLE VI SCHOOL COMMITTEE MEETING – AGENDA, ORDER, AND CONDUCT OF BUSINESS

The agenda and supporting information shall be prepared by the superintendent, in consultation with the chairperson, and shall be provided to each committee member sufficiently in advance of the meeting

to allow for study. Any committee member may place an item on the agenda by notifying the Superintendent or Chairperson in advance of its being assembled for distribution.

The agenda must be posted at least 48 hours in advance of the meeting excluding Saturday, Sundays, and legal holidays. The notice shall be printed in legible, easily understandable format and shall contain the date, time, meeting location and a listing of topics the chair reasonable anticipates will be discussed at the meeting. In an emergency, the meeting notice may be posted as soon as reasonably possible prior to the meeting.


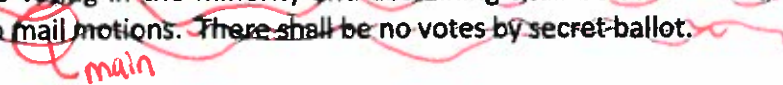
The agenda shall show all tabled and principal pending items.

he superintendent shall be given the opportunity to make recommendations on all issues to be voted upon by the Committee.

The regular meetings of the School Committee should include:

- Call to Order
- Opportunity for Public Comment
- Reports & Communications
- Old Business
- New Business
- Approval of Minutes
- Adjournment

The chairperson shall have the authority to deviate from the normal order of business in order to give priority time to items and to accommodate guest. Any such decision or other parliamentary decision by the chair may be overruled by a majority of the Committee present.

 The minutes of the meeting shall include the Aye and Nay votes and abstentions on the items voted on. ~~Names of those voting in the minority and abstaining shall be so recorded on all main motions and amendments to mail motions. There shall be no votes by secret ballot.~~ 

The Chair may add to the agenda items that he/she did not reasonable anticipate needed to be discussed at the meeting. No item not on the agenda, except for brief informative comments, may be introduced for Committee action unless agreed to by 2/3rds vote of those present.

Robert's Rules of Order shall govern the Committee proceedings except when those rules are in conflict with these by-laws.

ARTICLE VII AMENDMENTS

These By-Laws may be amended by a vote of the majority of the Committee as a whole at a regular or special meeting of the Committee, provided notice in writing of the particular change proposed has been mailed to each member at least seven days prior to the regular or special meeting at which the proposed amendment is to be acted upon.

ARTICLE VIII SEVERABILITY

If any article or section of any article of these by-laws is declared unconstitutional or illegal by any court, or if disapproved by any state authority having jurisdiction, the validity of the remaining provisions of

these by-laws shall not be affected thereby.

Policy Revisions Adopted: 06/05/97, 06/19/97, 04/08/10, 12/01/16, 10/19/17, 10/10/18

NONDISCRIMINATION

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school district will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. 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 and ethnic groups.
3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school district 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 whom 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, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related condition. 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, disability, pregnancy or pregnancy related condition., their complaint should be registered with the Title IX compliance officer.

LEGAL REFS.: 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 2011
M.G.L.76:16
BESE regulations 603CMR 26.00 Amended 2012
BESE regulations 603CMR 28.00

CROSS REFS.: **ACA- ACE, Subcategories for Nondiscrimination**
 GBA, Equal Employment Opportunity
 JB, Equal Educational Opportunities

NONDISCRIMINATION ON THE BASIS OF SEX

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school district does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The Committee will designate an individual to act as the school district's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

LEGAL REFS.: Title IX of the Education Amendments of 1972
45 CFR, Part 86, (Federal Register, 6/4/75)
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
BESE 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

SEXUAL HARASSMENT

All persons associated with the Hamilton Wenham Regional School District (HWRSD) including, but not necessarily limited to, the Committee, the administration, staff, and students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting, as a member of the school community, will be in violation of this policy. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating in an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.

Because the HWRSD School Committee takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace and school environment that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace or school conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

Definition of Sexual Harassment: Unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

The Grievance Officer: The Grievance Officer for the District is the Human Resources Administrator, who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out below:

Complaint Procedure:

1. Any member of the school community who believes that they have been subjected to sexual harassment will report the incident (s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.
2. The grievance officer will attempt to resolve the problem in an informal manner through the following process:
 - a. The grievance officer will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses.

- b. The grievance officer will then attempt to meet with the charged party in order to obtain their response to the complaint.
 - c. The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.
 - d. On the basis of the grievance officer's perception of the situation they may:
 - Attempt to resolve the matter informally through reconciliation.
 - Report the incident and transfer the record to the Superintendent or their designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the Superintendent or designee may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the committee for termination or expulsion. At this stage of the proceedings the parties may present witnesses and other evidence, and may also be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters involving sexual harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct.
 4. The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.

LEGAL REFS.: 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

NONDISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition: A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.

Reasonable Modification: The District shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Communications: The District shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services: "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification: The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator: The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school district receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair; and
2. To the extent possible, qualified disabled persons should be in the mainstream of life in the school community. Accordingly, employees of the school district will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of disability.

LEGAL REFS.: Rehabilitation Act of 1973, Section 504, as amended
 Education for All Disabled Children Act of 1975
 M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)
 Title II, Americans with Disabilities Act of 1992, as amended
 Board of Education Chapter 766 Regulations, adopted 10/74, as amended through
 3/28/78

CROSS REFS.: IGB, Support Services Programs

USE OF TOBACCO PRODUCTS PROHIBITED ON SCHOOL PREMISES

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law. Visitors who violate this policy will be asked to abide by the policy or leave the premises.

LEGAL REF: M.G.L. [71:37H](#); [270:6](#)

CROSS REFS.: GBED, Tobacco use on School Property by Staff Members Prohibited
JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

BACKGROUND CHECKS

It shall be the policy of the 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 School Committee, Superintendent or Principal, as appropriate, may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the School Committee, school or employed by the city or town 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.

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

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. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

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 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: 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 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 days to correct or complete the CHRI.

If a school employer receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, the school employer may request that an individual, after providing him a copy of said background check, provide additional information regarding the results of the criminal background checks to assist the school employer in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter 151B, S. 4,(9,9 ½). Furthermore, in exigent circumstances, a school employer may, pursuant to the terms of DESE regulations (see specific regulations in legal references), hire an employee on a conditional basis without first receiving the results of a national criminal background check. After exhausting several preliminary steps as contained in the above referenced regulation the district may require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be asked to provide information about juvenile adjudications or sealed convictions. The superintendent is advised to confer with legal counsel whenever he/she solicits information from an individual concerning his/her history of criminal convictions.

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's 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, Principal, or their 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, Principal, or their 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 Principal or Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to local counsel for appropriate action. Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent, Principals or their 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, 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 compliant 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](#)

DCJIS MODEL CORI POLICY

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.

CORI POLICY FOR OWNERS OF CHALLENGE COURSES FOR CONDUCTING CRIMINAL HISTORY INQUIRIES

I. Policy Purpose

Pursuant to the regulations pertaining to the operation of Climbing Walls contained in 520 CMR 5.15, owners of companies that operate Climbing Walls are required to conduct criminal history inquiries on certain applicants for employment. The procedure described below has been adopted by the Hamilton-Wenham Regional School District for Criminal Offender Record Inquiries.

II. Scope

The policy shall apply to all applicants 18 years of age or older for the positions of:

- a. Challenge Course Manager; and
- b. Challenge Course Staff.

III. Process

1. The Hamilton-Wenham Regional School District will register annually for iCORI service, a secure web-based service through which organizations will request and receive Criminal Offender Record Information ("CORI"), at www.mass.gov/cjis.
2. Upon application for any of the above positions, an applicant shall provide to the Hamilton-Wenham Regional School District a completed CORI Acknowledgement Form provided by the Department of Criminal Justice Information Services (DCJIS). CORI checks will only be conducted as authorized by the DCJIS and M.G.L. c. 6, § 172, and only after a CORI Acknowledgement Form has been completed. CORI will only be accessed for applicants who are otherwise qualified for the position for which they have applied. If a new CORI check is to be made on an applicant within one year of his/her signing of the CORI Acknowledgement Form, the applicant shall be given 72 hours notice that a new CORI check will be conducted.
3. The applicant shall be informed in writing either on the face of the application or in an attached written document that by completing the CORI Acknowledgment Form, the applicant is consenting to a criminal background inquiry which shall be used to determine suitability for employment. The applicant shall be further informed on the face of the application or in an attached written document that consideration for employment will only be granted upon completion of both the application and the CORI Acknowledgement Form.
4. All CORI obtained from the DCJIS is confidential, and access to the information is 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 Hamilton-Wenham Regional School District will maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list will be updated every six months and is subject to inspection upon request by the DCJIS and/or the Department of Public Safety at any time.

5. The Hamilton-Wenham Regional School District shall maintain a secondary dissemination log to record any dissemination of CORI outside of the District, including dissemination at the request of the applicant.
6. All personnel authorized to review or access CORI at the Hamilton-Wenham Regional School District will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.
7. Once the applicant provides consent to conduct a criminal background inquiry, the Hamilton-Wenham Regional School District shall submit a CORI request using the iCORI service. In most cases, results will be returned instantaneously.
8. In the event that results are not returned instantaneously and circumstances require an expedited employment decision, the following procedures shall apply:
 - a. A temporary offer of employment may be made to an applicant on the express condition that the Hamilton-Wenham Regional School District has submitted applicant's CORI request prior to the temporary offer of employment.
 - b. Any temporary employment shall expire at the conclusion of 14 days following acceptance and may not be renewed.
 - c. During the period of temporary employment, the applicant shall be under the direct supervision of an employee who has previously undergone a completed CORI.
9. At such time as the results of CORI are made available, the Hamilton-Wenham Regional School District shall act expeditiously to make a determination of suitability of employment. Factors considered in determining suitability may include, but not be limited to: (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 applicant 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; (i) any other relevant information, including information submitted by the applicant or requested by the Hamilton-Wenham Regional School District.
10. In the event that the applicant is to be questioned regarding his or her criminal record, the applicant shall be provided with a copy of the criminal history record prior to questioning and the source of the criminal history record shall be disclosed.
11. In the case of a negative employment decision, the applicant shall be notified immediately and shall be provided with:
 - a. A copy of the Hamilton-Wenham Regional School District's CORI policy;
 - b. A copy of the CORI;
 - c. A copy of Information Concerning the Process in Correcting a Criminal Record as provided by DCJIS.

The applicant shall have the opportunity to dispute the accuracy of the CORI.

Source: Department of Public Safety (DPS) 2016
References: HWRSD Policy A1008 – DCJIS Model CORI Policy
HWRSD Policy A1016 – Background Checks

WELLNESS

A. Introduction

The Hamilton-Wenham Regional School District (HWRSD) is committed to providing a school environment that enhances learning and development of lifelong wellness practices. Driven by the District's Core Value to develop the whole child, including academic abilities and physical and emotional well-being guided by the district's strategic plan, the Alliance for a Healthier Generation Program and in accordance with the Healthy, Hunger Free Kids Act of 2010 a local Wellness Policy has been developed by the District Wellness Committee. In addition to the policy a Wellness Guideline document has been created by the District Wellness Committee providing further detail about each section of the policy.

B. Wellness Committee

The mission of the Hamilton-Wenham Regional School District Wellness Committee is to provide a Whole School, Whole Community, Whole Child approach to physical, mental, social and emotional health promoting innovative learning and skill development as the foundation for academic success and personal achievement, thereby instilling a supportive and health literate climate for all students, teachers, staff, and community. For more information, read page 4 of the HWRSD Wellness Guideline.

C. Health Education

HWRSD will implement a planned, sequential; pre K-12 curriculum that addresses the physical, mental, emotional and social dimensions of health and that is aligned with the Mass Health Frameworks, the National Health Education Standards and existing district policy H8047. Standards to reduce student participation in risk behaviors such as nutrition, sexuality, tobacco, alcohol & other drugs, social & emotional, and violence prevention education will be included within the preK-12 health education curriculum. For more information, read page 13 of the HWRSD Wellness Guideline.

D. Physical Activity

HWRSD will implement a planned, sequential, pre K-12 physical education curriculum that addresses the physical, social, emotional and cognitive development of all students following the Mass Physical Education Frameworks and the National Physical Education Standards. This program will provide a variety of developmentally appropriate activities that are interwoven with sound standards, benchmarks, and assessments to focus on student learning. Opportunities for learning experiences in a variety of activity areas, including physical education, teams and sports clubs, recess in K-8, and co-curricular activities will be provided. Daily directed physical movement will be promoted at all levels. For more information, read page 10 of the HWRSD Wellness Guideline.

E. Nutrition

HWRSD will:

- Provide reimbursable student meals that meet state and federal guidelines;
- Offer a variety of nutritious, affordable and appealing foods that accommodate the health and nutrition needs of all students;
- Develop nutrition guidelines for all foods available on each school campus during the school day, with the objective of promoting student health and reducing childhood obesity;
- Monitor foods available on all school campuses to assure adherence to these guidelines;
- Make nutritional recommendations for foods served in school-related activities beyond the school day.

For more information, read page 8 of the HWRSD Wellness Guideline.

F. Guidance and Counseling

HWRSD will create a planned, sequential preK-12 guidance workshops and counseling services following the Massachusetts Model for Comprehensive School Counseling Programs of 2017. In the high school, school counselors co-teach with wellness teachers promoting social and emotional competencies defined by CASEL (2017) promoting lifelong wellness practices for students and the larger school community. For more information, read page 13 of the HWRSD Wellness Guideline.

G. Health Services

HWRSD will provide preventative care and intervention strategies aligned with the Massachusetts School Health Services and MA Department of Public Health policy and guidelines and existing district policy H8045. For more information, read page 15 of the HWRSD Wellness Guideline.

H. Health Promotion and Professional Learning for Staff

HWRSD will identify and recommend informal opportunities and resources that support school staff as they model healthy wellness practices within the district. For more information, read page 15 of the HWRSD Wellness Guideline.

I. Healthy School Environment

HWRSD will promote safe, healthy, well-maintained surroundings that support a culture of caring, respect and responsibility. For more information, read page 15 of the HWRSD Wellness Guideline.

J. Family/Community Involvement

HWRSD will make efforts to gather resources, define services, provide programs and respond to the health needs of HWRSD students and families. In addition, the district may also support other broad-based groups that promote wellness as they are created within our communities. For more information, read page 15 of the HWRSD Wellness Guideline.

K. Policy Review and Revision

This policy and its procedures will be reviewed every two years for compliance with state and federal law. Review and revision of these policies and procedures shall occur as needed by the District Wellness Committee, but at least every two years. For more information, read page 6 of the HWRSD Wellness Guideline.

LEGAL REFS.: Healthy, Hunger Free Kids Act of 2010 Section 204
 7 CRF Parts 210 and 220
 National School Lunch and School Breakfast Program
 Richard B. Russell National School Lunch Act
 Child Nutrition Act of 1996
 Massachusetts General Laws:
 c.71 s.3 (physical education)
 c.69 s.1c (nutritional standards and food services in public school)
 c 71 s. 2a (tobacco, student use)
 c.71, 337h (tobacco, use on school grounds)