

DUDLEY-CHARLTON REGIONAL SCHOOL DISTRICT
Meeting of the Policy Review Subcommittee
Friday, December 1, 2023
8:00 AM

DCRSD District Office
68 Dudley-Oxford Road
Dudley, MA 01571

MINUTES

1. Call to Order

The meeting was called to order at 8:12 AM

2. Policy Review for Update

- JICH - Alcohol, Tobacco and Drug Use by Students Prohibited

It is suggested that the policy be updated to include verbal screenings. Verbal screenings for students are completed in the seventh and ninth grades. The screening consists of a few questions to help determine if a particular student might be at risk for substance abuse.

The policy will be updated and moved forward to the School Committee for a first reading.

- JIC - Student Discipline

The Subcommittee suggests the policy be rewritten to follow the new MASC model. It will then be moved forward to the School Committee for adoption.

- BE - School Committee Meetings

The subcommittee suggests changing School Committee meetings to one time a month instead of two, introducing rotating locations instead of solely using school libraries, and starting meetings half an hour earlier (6:30 pm vs 7:00 pm).

- BHE - Use of Electronic Messaging by School Committee Members

Due to advancements in technology, its suggested that text messaging and social media forums also be added to the policy as a means of communication. The subcommittee suggests making those edits and moving the policy to the School Committee for adoption.

3. Future Agenda Items

- Update - DCRSD Policy Reconciliation Project
- JJIF - Head Injuries and Concussions in Extra-Curricular Athletic Activities

Add BEHD – Public Comment to the agenda

4. Next Meeting Date

The next meeting is scheduled for January 5, 2024, at 8 AM. It will be located in the DCRSD District Office.

5. Adjourn

The meeting adjourned at 8:42 AM

In attendance:

Steven Lamarche

Maureen Chickering

Jeanne Costello

Erin Glenn

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A G E N D A

1. Call to Order
2. Policy review for update
 - JICH - Alcohol, Tobacco, and Drug Use by Students Prohibited
 - JIC - Student Discipline
 - BE - School Committee Meetings
 - BHS~~E~~ - Use of Electronic Messaging by School Committee Members
3. Future Agenda Items
 - Update - DCRSD Policy Reconciliation Project
 - JJIF - Head Injuries and Concussions in Extra Curricular Athletic Activities
4. Next Meeting Date
5. Adjourn

School Committee Members

Maureen Chickering - Chair
Jeanne Costello

"...to advance the knowledge and well-being of our children and our community."

JICH

Dcrsd

Adoption Date: 5/17/1974, Revised: 3/25/1987; 3/9/1988, 9/23/1992, 7/14/1993,
4/10/2002
J - Students

JICH

Alcohol, Tobacco, and Drug Use by Students Prohibited

The Dudley-Charlton Regional School Committee prohibits the use of, serving of, consumption of any alcoholic beverages, any tobacco product or nicotine delivery system including a vapor/E-cigarette device; marijuana; steroids; or the unauthorized consumption of any controlled substance at a school function, within our school buildings, on school grounds, on school buses or school provided transportation.

A student shall not, regardless of quantity, use, consume, possess, purchase, sell, or give away any beverage containing alcohol; any tobacco product or nicotine delivery system including a vapor/E-cigarette device; marijuana; steroids; or any controlled substance within our school buildings, on school grounds, on school buses or school provided transportation

Additionally, any student who is under the influence of drugs or alcohol prior to attendance at, or participation in, school-sponsored activity will be barred from that activity and subject to disciplinary action as outlined in the student handbook

It shall be the policy of the Dudley-Charlton Regional School District to permit the use of a breathalyzer to detect alcohol use at any school related function deemed appropriate by the building principal.

An administrative conference with the student and his or her parent(s) or caregiver(s) must take place before the student is readmitted. Conditions must be established and made clear to the student before readmission. Readmission will include evidence that steps have been or are being taken to seek solutions to the problems which  English

basis of the suspension.

This policy shall be posted on the district's website and notice shall be provided to all students and parents/caregivers of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with the Department of Elementary and Secondary Education (DESE) in accordance with law in a manner requested by DESE.

LEGAL REFS.: MGL 71:96; 272:40A; MGL 71:37H

CROSS REFS.: IHAMA, Teaching About Drugs, Alcohol and Tobacco; ADCA, Drug Free Workplace Policy

Adopted May 17, 1974

Amended March 25, 1987

Amended March 9, 1988

Amended September 23, 1992

Amended July 14, 1993

Amended April 10, 2002

Amended:

First Reading: January 8, 2020

Second Reading

And Adoption: January 22, 2020

DCLSD



MASC



File: JICH - ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, at any school function, or at any school sponsored event.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

Verbal Screening

- The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.
- Parents/guardians shall be notified prior to the opening of school each year. Parents/guardians shall have the right to opt out of the screening by written notice prior to or during the screening.
- All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.

This policy shall be posted on the district's website and notice shall be provided to all students and parents/guardians of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

SOURCE: MASC - Reviewed 2021

LEGAL REFS.: M.G.L. [71:2A](#); [71:96](#); [71:97](#); [272:40A](#)

CROSS REFS.: [ADC](#), Tobacco Products on School Premises Prohibited

[GBEC](#), Drug Free Workplace Policy

JIC

Adoption Date: 12/12/2012

J - Students

Dcrsd

JIC Student Conduct

Student Conduct

Good citizenship in schools is based on respect and consideration for the rights of others.

Students will be expected to conduct themselves in a manner that respects the rights and privileges of others. They will be required to respect authority, to conform to school rules as expressed in the student handbook, and to adhere to those provisions of law that apply to their conduct.

Any of the following actions may subject a student to suspension, expulsion, or other disciplinary measures by the principal under the terms of MGL 71:37H:

1. Possession of a dangerous weapon or a controlled substance on school premises or at school-sponsored or school-related events, including athletic games.
2. An assault on a principal, assistant principal, teacher, teacher's aide or other educational staff member on school premises or at school-sponsored or school-related event including athletic contests.

Any of the following actions will subject a student to suspension or other disciplinary measures:

1. Causing or attempting to cause damage to school property; or stealing or attempting to steal school property.
2. Causing or attempting to cause damage to private property; stealing or attempting to steal private property.
3. Causing or attempting to cause physical injury to another person except  self  English

defense.

4. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators.

The above prohibited actions will be outlined in detail in the student handbook and made available to students and parents.

LEGAL REF.: MGL 71:37H

DCRSD

Adopted December 12, 2012



English



File: JIC - STUDENT DISCIPLINE

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be expected to acknowledge respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication to be made available to students and parents/guardians.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

Suspension

In every case of student misconduct for which suspension may be imposed, a Principal shall consider ways to re-engage the student in learning. Unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and/or in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school, principal shall not suspend or exclude a student until alternatives have been employed and their use and results documented. Alternatives may include but shall not be limited to the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem-solving.

The superintendent and/or principal shall also implement district/school-wide models to re-engage students in the learning process which shall include but not be limited to positive behavioral interventions and support models, and trauma sensitive learning models.

Notice of Suspension:

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent/guardian oral and written notice, and provide the student an opportunity for a hearing and the parent/guardian an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to student and parent/guardian in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and

regulation. To conduct a hearing without a parent/guardian present, the Principal must be able to document reasonable efforts to include the parent/guardian.

The principal or a designee shall notify the superintendent in writing, including by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

For any suspension or exclusion under this section, the principal or designee of a school in which the student is enrolled, shall provide to the student and parent/guardian, notice of the charges and the reason for the suspension or exclusion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal, or a designee, to discuss the charges and reasons for the suspension or exclusion prior to the suspension or exclusion taking effect. The principal, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal, or a designee, can document reasonable efforts to include the parent or guardian in that meeting.

Emergency Removal

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall:

1. Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation;
2. Provide written notice to the student and parent/guardian as required above. The notice shall include the rights enumerated in law and regulation;
3. Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent/guardian an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent/guardian;
4. Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

In School Suspension - not more than 10 days consecutively or cumulatively

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses provided that the principal follows the process set forth in State regulation and the student has the opportunity to make academic progress.

Principal's Hearing - Short Term Suspension of up to 10 days

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent/guardian of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

Principal's Hearing - Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's/guardian's expense; The right to produce witnesses on

his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent/guardian requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent/guardian upon request.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent/guardian by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the Principal and the parent/guardian. The notice shall include the rights enumerated in law and regulation.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent/guardian must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent/guardian may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

Superintendent's Hearing

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent/guardian shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If the

appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent/guardian in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent/guardian and Superintendent to participate. The Superintendent shall send written notice to the parent/guardian of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent/guardian upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

Expulsion

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student excluded from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Academic Progress

Any student who is suspended or excluded shall have the opportunity to earn credits, make up assignments, tests, papers, and other schoolwork as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent/guardian of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is excluded or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and

make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are excluded or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents/guardians of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent/guardian and student of the opportunity to receive education services at the time the student is excluded or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student excluded or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

Reporting

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

SOURCE: MASC - Updated 2023

LEGAL REFS: M.G.L. [71:37H](#); [71:37H ½](#); [71:37H ¾](#); [76:17](#); [76:21](#)

603 CMR [53.00](#)

603 CMR [53.10](#)(3) through (5)

603 CMR [53.13](#)(1)

Chapter 222 An Act Relative to Student Access to Educational Services and Exclusion from School

REFS.: Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973

<https://www2.ed.gov/about/offices/list/ocr/docs/504-discipline-guidance.pdf>

Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's (IDEA's) Discipline Provisions.
- <https://sites.ed.gov/idea/files/qa-addressing-the-needs-of-children-with-disabilities-and-idea-discipline-provisions.pdf>

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. [71, S. 37H](#) or [37H½](#). The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and excluded for more than 10 cumulative days in a school year and to make recommendations thereon.

BE

DCRSD

Adoption Date: 2/27/1991, Revised: 4/24/2002; 7/19/2012, 2/13/2013

B - Board Governance and Operations

BE Time and Place and Special Meetings

Time and Place

Regular meetings of the school committee will be held on the second and fourth Wednesdays of each month with the exception of July, August, November and December when the school committee will meet once each month. Meeting dates may be changed or meetings cancelled by a majority vote of the school committee. The chair may cancel a meeting when weather or other unforeseen events occur making the cancellation desirable, pursuant to the provisions of the Open Meeting Law.

The first meeting of the month will be held in the library of the Shepherd Hill Regional High School in Dudley, with the second meeting held in the library of the Charlton Middle School. The school committee will also schedule some of the meetings at other school buildings within the district. The meetings will begin at 7 p.m., and will adjourn no later than 11 p.m., unless otherwise voted.

Amended February 27, 1991

Amended April 24, 2002

Amended July 19, 2012

Special Meeting

Special meetings of the school committee may be called by the chair or by a majority vote of the

school committee at a regular meeting. Reasonable notice shall be given by the secretary of the school committee, stating the reason for which the meeting is called.

An emergency meeting may be called by the chair when immediate, non-delayed action is deemed by the school committee to be imperative.

No business shall be transacted at any special meeting of the school committee which does not come within the purpose set forth in the call for the meeting unless all members of the school committee are present and agree to the consideration of the additional item.

The place and time of any special meeting will be set by vote of the school committee, or by the chair when such a meeting is called without prior vote by the school committee.

Adopted January 13, 1972

Amended April 24, 2002

Amended February 13, 2013

DCLSD



MASC



File: BE - SCHOOL COMMITTEE MEETINGS

The School Committee will transact all business at official meetings of the Committee. These may be either regular or special meetings, defined as follows:

1. **Regular meeting**: the usual official legal action meeting, held regularly
2. **Special meeting**: an official legal action meeting called between scheduled regular meetings to consider specific topics.

Every meeting of the School Committee, regular or special, will be open to the public unless an executive session is held in accordance with state law.

SOURCE: MASC - Reviewed 2022

LEGAL REFS.: M.G.L. [30A:18](#)-25

CROSS REFS.: [BEC](#), Executive Sessions

[BEDA](#), Notification of School Committee Meetings

NOTE: The above policy covers both regular and special meetings and thus is filed under the general term School Committee Meetings, code BD. More extensive policies on regular and special meetings might be separated and filed under the codes pertaining to each type, BEA and BEB, respectively.

The cross references are to codes in which information directly related to School Committee meetings is filed in this manual.

BHE

DELETED

Adoption Date: 1/31/2005

B - Board Governance and Operations

BHE Use of Electronic Messaging by School Committee Members

Use of Electronic Messaging by School Committee Members

As elected public officials, school committee members shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to electronic mail (email) Internet web forums, and Internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including but not limited to the sharing of an opinion regarding business over which the committee has supervision, control or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law Electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the school committee chairperson, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic correspondence between and among members of the school committee.

These copies shall be printed and retained in the central office in the same manner as any



other school committee records.

LEGAL REFS.: MGL Ch. 4:7, 39:23A, 23B, 66:10

DCRS D

Adopted January 31, 2005



English

**File: BHE - USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS**

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), text messages, social media postings, internet web forums, and internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including, but not limited to, the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the School Committee Chair, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic mail correspondence between and among members of the School Committee, or the district shall provide district e-mail addresses, which are archived. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

SOURCE: MASC - Updated 2022

LEGAL REFS.: M.G.L.[4:7](#); [30A:18-25](#), [66:10](#)