Agenda School Committee Meeting 1/3/2023

Mission Statement

The mission of the Gardner Public School System is to prepare, in collaboration with parents, students who are ready upon graduation for the challenges of college and career without remediation. This will be done in a safe, caring, just and equitable environment. Our Core Values are Academic Excellence, Creativity, Respect and Responsibility.

Notice: The listing of agenda items are those reasonably anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the Chair as to the number, placement, and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the Recording Secretary, as they become part of the meeting minutes.

GARDNER PUBLIC SCHOOLS

REGULAR MEETING OF THE SCHOOL COMMITTEE

Tuesday, January 3, 2023, 6:45 PM

City Council Chambers, City Hall, Gardner, MA 01440

ORDER OF BUSINESS

- A. Call to Order
- B. **Open Time for General Public**
- C. **Recognitions by the Superintendent**

D. **Reorganization of Committee - Officers**

- Vice Chair
- Finance Officer
- Alternate Finance Officers (2)
- Secretary

E. Consent Agenda

- **a.** Approval of Minutes: December 12, 2022
- **b.** Warrant # 23-24, dated December 15, 2022, in the amount of \$360,381.65
- **c.** Warrant # 23-25, dated December 22, 2022, in the amount of \$406,068.90
- d. Donations -

Agenda School Committee Meeting 1/3/2023

- F. **Subcommittee Report** Facilities Subcommittee
- G. Student Advisory Board GHS, Junior Amber Cameron
- H. Discussion Items: New Business Item #3474 Second Reading of Policies (Vote Required) ADDA – Background Checks ADF – Local Wellness Policy BBA – School Committee Powers and Duties DD – Grants, Proposals, And Special Projects
- I. Communications
- J. Final Comments of School Committee
- K. Executive Session
- L. Adjournment

GARDNER PUBLIC SCHOOLS

BRIEFING

ORGANIZATIONAL MEETING OF THE SCHOOL COMMITTEE

Tuesday, January 3, 2023, 6:45 PM City Council Chambers, City Hall, Gardner, MA 01440

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- d. Donations -
- F. Subcommittee Report

Facilities Subcommittee

- G. Student Advisory Board GHS, Junior Amber Cameron
- H. **Discussion Items:**

New Business

Item #3474 Second Reading of Policies (Vote Required)

ADDA – Background Checks

ADF – Local Wellness Policy

- **BBA** School Committee Powers and Duties
- DD Grants, Proposals, And Special Projects
- I. Communications
- J. Final Comments of School Committee
- K. Executive Session
- L. Adjournment

Gardner School Committee

Regular Meeting – December 12, 2022

City Council Chambers, 95 Pleasant Street, Gardner, Massachusetts

Members present:	Jennifer Pelavin, Vice Chairperson Rachel Cormier, Secretary John LaFreniere, Finance Officer Shannon Leighton Anne Hurst Robert Swartz
Member absent:	Mayor Michael Nicholson, Chairperson
School Personnel present:	Dr. Mark Pellegrino, Superintendent Terri Hillman, Recording Secretary Dr. Catherine Goguen, Chief Academic Officer Ms. Paula Bolger, Principal, Gardner High School Amber Cameron, GHS Student Representative

Call to Order

Mrs. Pelavin, Vice Chairperson, called the meeting to order at 7 pm. The meeting opened with a roll call and the Pledge of Allegiance. The meeting was broadcast live on Channel 8 (Gardner Educational Television Station).

Open Time for the General Public

No one from the General Public requested to speak.

Recognition by the Superintendent

Dr. Pellegrino recognized the thirty-seven GHS students who received the John and Abigail Adams Scholarship Awards. Many of the students were present with family and friends to receive their certificates. Ms. Bolger was present to congratulate the students.

CONSENT AGENDA

Mr. Swartz moved that the District School Committee vote to approve the Consent Agenda as presented:

- Approval of Minutes of Regular Meeting of November 14, 2022, as recommended by the School Committee Chairperson.
- Approval of the following Warrants as recommended by the Finance Subcommittee:
 - Warrant #23-19 dated 11/10/22 in the amount of \$280,103.19
 - Warrant #23-20 dated 11/17/22 in the amount of \$328,916.79
 - Warrant #23-21 dated 11/23/22 in the amount of \$572,716.80
 - Warrant #23-22 dated 12/01/22 in the amount of \$1,457,615.39
 - Warrant #23-23 dated 12/08/22 in the amount of \$226,439.39

Seconded by Mrs. Leighton Mrs. Pelavin, Vice Chairperson, abstained from voting.

SUBCOMMITTEE REPORTS

Facilities Subcommittee

Mr. Swartz, Chairperson, said that the Facilities Subcommittee met on November 17, 2022. Minutes of the meeting were presented.

Mr. Wayne Anderson, Facilities Director, presented a roster of Moura's cleaning staff working within the district and listed the staffing of the schools as of 9/22/2022.

The Substantial completion date for the Elementary School was changed to September 12, 2022 and the certificate was signed by all parties concerned. However, the school is still a construction work site and all ongoing projects were discussed.

Due to weather and supply chain issues, the Watkins Field concession stand and restrooms will not be opened until spring.

Finance Subcommittee

Mr. LaFreniere, Chairperson, said that the Finance Subcommittee met on November 17, 2022. Minutes of the meeting were presented.

The Subcommittee reviewed the Expense Report and Mr. Hawke, Director of Finance & Operations, responded to questions concerning the report. He also provided an update on the Watkins Field project.

Mr. Hawke will issue a report in response to the inquiry about transfers.

5

Vote – so voted.

Policy Subcommittee

Mrs. Hurst, Chairperson, said that the Policy Subcommittee met on November 22, 2022. Minutes of the meeting were presented.

The following policies were reviewed, and it was determined that no changes were required. They will be updated as "Reviewed November 2022".

- BBAA School Committee Member Authority
- BBBE Unexpired Term Fulfillment/Vacancies
- BCA Code of Ethics for School Committee Members
- BDA School Committee Organizational Meeting
- BDB School Committee Officers
- BDBA Duties of Chairperson

Several policies were approved for a first reading, and they are listed under Item #3461 on the School Committee Agenda.

The Subcommittee reviewed the MASC Policy Newsletter which recommended policy updates on several policies. All relevant policies noted in the Newsletter will be placed on upcoming meeting agendas.

Student Advisory Board

Amber Cameron, Student Representative, reported on the many activities at GHS. The sports teams did well, and the Cheerleaders are going to Texas to compete in the Nationals. The Parent/Teacher Conferences went well. She thanked the teachers who organized the No Place for Hate Event. Students collected toys and took them to the Gardner CAC for Christmas distribution.

NEW BUSINESS

Item #3461 – First Reading of Policies (Information)

Mrs. Hurst presented the following policies for a first reading as recommended by the Policy Subcommittee:

- Policy ADDA Background Checks
- Policy ADF Local Wellness Policy
- Policy BBA School Committee Powers and Duties
- Policy DD Grants, Proposals, and Special Projects

Item #3462 – Second Reading of Policies

Mr. Swartz moved that the District School Committee vote to approve the following policies for a second reading as recommended by the Policy Subcommittee.

Policy ADC Tobacco Products on School Premises Prohibited

Policy JIC Student Discipline/Student Suspension-Expulsion Procedures
Seconded by Mrs. Cormier. Vote – so voted.
Mrs. Palavin abstained from vating

Mrs. Pelavin abstained from voting.

Item #3463 – Grant Funding Approval

Mrs. Pelavin read the list of Grant Funding as of December 12, 2022, as prepared by Ms. Courtney Dunn, Grants, Communications & Compliance Manager, for approval by the School Committee.

Mrs. Leighton moved that the District School Committee vote to approve the Grant Funding as presented. Seconded by Mr. Swartz. Mrs. Pelavin abstained from voting.

Item #3464 – Field Trip - GHS Cheerleaders

Mr. LaFreniere moved that the District School Committee vote to approve travel by eight
Cheerleaders to Dallas, Texas for competition in Nationals (January 19 to January 23,
2023).Seconded by Mr. Swartz.Vote – so voted.

Mrs. Pelavin abstained from voting.

Item #3465 – GHS School Improvement Plan / Program of Studies

Ms. Paula Bolger, Principal of Gardner High School, said that the Program of Studies is still being worked on and will be presented to the School Committee in early 2023.

Ms. Bolger presented a PowerPoint of the GHS School Improvement Plan for 2021-2024. The Strategic Objectives – Academic, Behavioral, Social Emotional Learning, Collaboration with Families and Community Partners - were explained. Action steps and Implementation Timelines were included in the report.

Item #3466 – Learning Walks

Dr. Goguen spoke about the Learning Walks that have taken place in the schools. The walks started in October and are the start of a new base line to see how students work and engage in their classrooms. More walks are planned for the spring so that student improvement can be charted.

Item #3467 - College & Career Readiness Coordinator's Update

The College & Career Readiness Coordinator's update was included in the members' packets. Ms. Melissa Paine was not present this evening.

Item #3468- Curriculum Coordinator's Update

The Curriculum Coordinator's Update was included in the members' packets. Dr. Goguen was present this evening to answer questions.

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Item #3469 – Director of School Health Services Update

The School Health Services Update was included in the members' packets. Ms. Rebecca McCaffrey, Director of School Health Services, was not present this evening.

Item #3470– Grants Administrator's Update

The Grants, Communications & Compliance Update was included in the members' packets. Mrs. Dunn was not present this evening. Refer to Item #3463 for Grant Funding approval.

Item #3471 – Special Education Update

The Special Education Update was included in the members' packets. Ms. Joyce West was not present this evening.

Item #3472 – SEPAC Update

Mrs. Hurst reported that Laurie Davis, SEPAC Chair, attended a training workshop for SEPAC Leaders. The next meeting date will be announced in 2023.

Item #3473 – MSBA – New School Building Project

Dr. Pellegrino reported that work has been done on the playground so that students can get outside to play. Work continues on all other items on the punch list.

COMMUNICATIONS

Dr. Pellegrino spoke about the Early College program and reported that Gardner has more students enrolled in the program than many other Districts. He also said that the sports teams have been phenomenal this fall

FINAL COMMENTS OF THE SCHOOL COMMITTEE MEMBERS

Mrs. Leighton commended Mrs. Bolger on her presentation. She wished everyone Happy Holidays.

Mrs. Hurst said she was inspired to see all the students who received the John and Abigail Adams Award.

Amber Cameron congratulated all the students who received the John and Abigail Adams Award.

Mr. Swartz wished everyone a Merry Christmas and a Happy New Year.

Mr. LaFreniere commented on the college courses and the Life Experience courses.

Mrs. Cormier wished everyone a Happy Healthy Holiday season.

Mrs. Pelavin wished everyone a Happy Holiday season.

December 12, 2022 Page 6

Mr. LaFreniere thanked all the presenters this evening and thanked everyone for all their work.

<u>ADJOURNMENT</u> Mr. LaFreniere moved to adjourn. Seconded by Mr. Swartz. Mrs. Pelavin abstained from voting.

Vote – so voted.

The meeting adjourned at 8 pm.

Rachel Cormier Secretary

Terri Hillman, Recording Secretary

GARDNER PUBLIC SCHOOLS SYNOPSIS OF WARRANT

WARRANT #: 23-24

WARRANT DATE <u>12/15/22</u>

Location	Office & Gen Supplies	Curriculum	Nurse	Athletics	IT	Utilities	Facilities	TOTAL
High School	\$103.73	\$327.88				\$4,056.98	\$33,316.40	\$37,804.99
Middle School		\$156.20	\$402.52			\$1,441.72	\$21,419.78	\$23,420.22
Gardner Elementary School	\$342.96	\$2,602.14					\$33,123.68	\$36,068.78
Elm St. School						\$2,584.56	\$5,472.01	\$8,056.57
Helen Mae Sauter						\$840.78	\$2,199.89	\$3,040.67
Sub-Total	\$446.69	\$3,086.22	\$402.52	\$0.00	\$0.00	\$8,924.04	\$93,331.87	\$108,391.23

Location	Office Supplies	Transport.	IT	Curriculum	Prof Serv	Assessment	Legal	Tuition	Utilities	Facilities	Carryover	TOTAL
Special Education		\$68,104.40			\$3,306.50			\$21,479.22				\$92,890.12
Administration	\$411.69	\$58,765.00	\$9,046.94			\$34.20				\$7,522.24	\$17,656.50	\$93,436.57
Sub-Total	\$411.69	\$126,869.40	\$9,046.94	\$0.00	\$3,306.50	\$34.20	\$0.00	\$21,479.22	\$0.00	\$7,522.24	\$17,656.50	\$186,326.69

Revolving Accounts	\$411.00
Grants	\$44,126.12
Student Activity Replenish	\$740.50
GHS - Auditorium	\$1,453.00
Bonds	\$18,933.11
Sub-Total	\$65,663.73

GRAND TOTAL \$360,381.65

GARDNER PUBLIC SCHOOLS SYNOPSIS OF WARRANT

WARRANT #: 23-25

WARRANT DATE <u>12/22/22</u>

Location	Office & Gen Supplies	Curriculum	Student Activity	Athletics	IT	Utilities	Facilities	TOTAL
High School	\$59.00	\$898.00	\$1,190.00	\$7,000.00	\$3,080.64	\$4,981.95	\$1,506.45	\$18,716.04
Middle School		\$1,089.36	\$3,838.82		\$1,668.05	\$4,282.18	\$2,447.83	\$13,326.24
Gardner Elementary School		\$3,724.83			\$3,097.34	\$10,567.53	\$5,445.43	\$22,835.13
Elm St. School						\$374.39		\$374.39
Waterford St. School						\$1,437.50		\$1,437.50
Helen Mae Sauter						\$1,443.29		\$1,443.29
Sub-Total	\$59.00	\$5,712.19	\$5,028.82	\$7,000.00	\$7,846.03	\$23,086.84	\$9,399.71	\$58,132.59

Location	Prof. Dev	Transport.	IT	Curriculum	Prof Serv	Assessment	Legal	Tuition	Utilities	Facilities	Carryover	TOTAL
Special Education		\$4,185.00	\$1,142.07		\$868.52	\$4,860.01		\$17,233.58				\$28,289.18
Administration	\$2,100.00		\$1,348.98	\$4,008.61	\$854.20		\$3,718.00		#######	\$6,720.61	\$5,766.92	\$29,041.80
Sub-Total	\$2,100.00	\$4,185.00	\$2,491.05	\$4,008.61	\$1,722.72	\$4,860.01	\$3,718.00	\$17,233.58	#######	\$6,720.61	\$5,766.92	\$57,330.98

Revolving Accounts	\$129,950.16
Capital Project	\$63,842.43
Grants	\$5,920.17
Tennis Ct / Watkins Field	\$46,467.57
Bonds	\$44,425.00
Sub-Total	\$290,605.33

GRAND TOTAL \$406,068.90

GARDNER PUBLIC SCHOOLS 70 Waterford Street Gardner, MA 01440

Facilities Sub-Committee Meeting Minutes Thursday, December 8, 2022

Members Present: Mr. Robert J. Swartz, Chair, Mr. John LaFreniere

Members Absent: Shannon M. Ward-Leighton

Others Present: Dr. Mark Pellegrino, (Superintendent) Mr. Mark Hawke (Dir Finance & Operations) Mr. Wayne Anderson, (Director of Facilities)

Call to Order: Chair called the meeting to order at 5:02 PM.

Chair called for a motion to approve meeting minutes for the November 17, 2022 meeting. Motion made by, John LaFreniere, Seconded by R. Swartz motion approved.

Mr. Swartz mentioned that the GHS windows (2nd & 3rd flr) are still open during this cold spell and with the cost of energy someone needs to pay attention to ensure that they are closed. Mr. Anderson said he would confer with Moura and the weekend person.

There is a study/plan being conducted to revamp the HVAC system in the auditorium, cafeteria and library.

Watkins Field – Concession stand: The contractors will still be working during the winter. At the time of the visit the roof rafters were up and hopefully the roof will be installed. The contractors will work on the interior through the winter. Landscaping will be done in the spring. New double gates were installed in the roadway to the field to allow the band to enter the field rather than having to enter on the North end of the field.

1

GMS: North patio around Bldg. A lower wall there is a severe black milder on the blocks and spots of the mildew on blocks around the building. Mr. Anderson said he would check and possibly wash the mildew off with a pressure washer.

GES: Discussion was on the two broken street lights on the access road. They will be repaired sometime. The contractor is also looking into what is involved to turn the street light 90 degrees and reset the focus of the lamp onto the street. We will end up paying for that project.

Discussion was had about the GES electrical system and why the lights are on all the time. Evidently, we bought a very complicated system and each room needs adjusting to the main control system. The installer has found mis-wiring and faulty relays while trying to adjust the system. SO, the installer is in the process of correcting these faults and then adjusting the rooms. This will take about 9 weeks. As of the meeting we are in the third week of testing and repair.

The committee next meeting in February will be at Central office.

Being nothing else to discuss a motion to adjourn was made by John LaFreniere and seconded by R. Swartz to adjourn. Meeting adjourned at 5:25 PM.

Robert J. Swartz

Robert J. Swartz Facilities Committee Chairman

Item# 3474

File: ADDA

BACKGROUND CHECKS

It shall be the policy of the Gardner Public Schools 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.

A fee will be charged by the provider to the employee and educator for national fingerprint background checks which 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.

Requesting Criminal History Record Information (CHRI) checks

Fingerprint-based CHRI checks will only be conducted as authorized by M.G.L c. 71, §38R and 42 U.S.C. § 16962, in accordance with all applicable state and federal rules and regulations and in compliance with M.G.L c. 6, §§ 167-178 and 803 CMR §§ 2.00, *et seq*. 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 (e.g., Authorized fingerprint vendor, vendor's website address, and district provider identification number).

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. Title 28, U.S.C. § 534, Pub. L. 92 544 and Title 28 C.F.R. 20.33(b) provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Federal law and regulations provide that the exchange of records and information is subject to cancellation is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

Storage of CHRI

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CJIS Security Policy have been implemented to ensure the security and confidentiality of CHRI. The CJIS Security Policy can be found at http://www.mass.gov/eopss/law-enforce-and-cj/cjis/fbi-cjis-security-policy.html. 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 within the department of Human Resources at City Hall.

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 Gardner Public Schools will consider but not be limited by the following factors:

- 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
- 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.
- Gardner Public Schools may choose to perform a new national criminal history check on an individual rather than rely on a previous favorable suitability determination. Gardner Public Schools shall bear the cost of such a new check.

<u>Documentation of Reliance on a Previous Favorable Suitability Determination</u>. In any instance where a school employer relies on a suitability determination made by another school employer or by the Department of Elementary and Secondary Education, the relying school employer shall retain the following documentation:

• A copy of the documentation received from the school employer or agency that made the relied-upon suitability determination, and;

- Documentation establishing that the individual met the criteria of 603 CMR 51.06(3)(a), (b), and either (c) or (d) as defined above, and;
- Gardner Public Schools may choose to perform a new national criminal history check on an individual rather than rely on a previous favorable suitability determination. Gardner Public Schools shall bear the cost of such a new check.

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 <u>his/her_their</u> 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
- 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 fingerprintbased 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 ¹/₂). 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 they solicit information from an individual concerning their 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:

- 1) Subject Name
- 2) Subject Date of Birth
- 3) Date and Time of the dissemination
- 4) Name of the individual to whom the information was provided
- 5) Name of the agency for which the requestor works

- 6) Contact information for the requestor
- 7) The specific reason for the request

Reporting to Commissioner of Elementary and Secondary Education

Pursuant to M.G.L c. 71, §71R and 603 CMR 51.07state law and regulations, if the District dismisses, declines to renew the employment of, obtains the resignation of, or declines to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a state or national criminal record check, the District shall report such decision or action to the Commissioner of Elementary and Secondary Education in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the Department and shall include the reason for the action or resignation as well as a copy of the criminal record checks results. The District shall notify the employee or applicant that it has made a report, pursuant to 603 CMR 51.07(1) the regulations, to the Commissioner.

Pursuant to <u>M.G.L c. 71, §71R and 603 CMR 51.07 state law and regulations</u>, 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 603 CMR 7.15(8)(a)regulations, the District 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 603 CMR 51.07(2)regulations, to the Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

Legal References: M.G.L c. 6, §§ 167-178; M.G.L c. 71, §38R; M.G.L c. 71, §71R; Title 28 C.F.R. 20.33(b); Title 28, U.S.C. § 534; 42 U.S.C. § 16962; Pub. L. 92-544; 603 CMR 7.15(8)(a); 603 CMR 51.06(3); 603 CMR 51.07; 603 CMR 51.07(1); 603 CMR 51.07(2); 803 CMR §§ 2.00

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 had 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 eriminal 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.

SOURCE: MASC - Reviewed 2022

Background Checks Legal References: M.G.L c. 6, §§ 167-178; M.G.L c. 71, §38R; M.G.L c. 71, §71R; Title 28 C.F.R. 20.33(b); Title 28, U.S.C. § 534; 42 U.S.C. § 16962; Pub. L. 92-544; 603 CMR 7.15(8)(a); 603 CMR 51.06(3); 603 CMR 51.07; 603 CMR 51.07(1); 603 CMR 51.07(2); 803 CMR §§ 2.00

<u>CORI Requirements</u> [References: MASC 2014; 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); <u>FBI Criminal</u> Justice Information Services Security Policy; Procedure for correcting a criminal record; FAQ – Background Checks

[Adopted: April 2003] [Revised: December 2005] [Reviewed: March 2011] [Revised: December 2014] [Reviewed: May 2020] [Revised: 2022]

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

LOCAL WELLNESS POLICY

Purpose:

The Gardner School System recognizes the important relationship between wellness and academic success as well as the importance of a comprehensive district wellness program. The Gardner Schools are Therefore, the district is committed to providing developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity in an environment that enhances learning and promotes life-long health and fitness. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based.

The Gardner Public Schools (GPS) are committed to meeting the requirements of the Federal Public Law (PL 108.265) that states all school districts must have a wellness policy by September 1, 2006. The Wellness Committee, informed by the Nutrition and Wellness Committees, will continue to monitor and adjust guidelines according to Dietary Guidelines for Americans, NASPE (National Association for Sports and Physical Education), and best practices that are reported (for more information go to: <u>www.physical-education-cyrrucykyn-technology-consulting.net/curriculum/NASPE_Standards.html</u>).

Wellness Committee

The Gardner Public School <u>maintains a</u> Wellness Program includes a Wellness Committee and a Nutrition Committee that meets <u>quarterly and</u> on an as needed basis. The committee consists of at least one (1): parent/guardian, student, nurse, 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 designates the following individuals as wellness program coordinators: Director of School Health Services and Chief Academic Officer. Wellness Coordinators, in conjunction with the Wellness Committee, will be in charge of implementation and evaluation of this policy. Teachers, nurses, students, parents, community partners, administrators, school committee and the Nutrition Committee to promote improvements in our existing health and fitness programs. Gardner Public Schools will continue to participate in implementation and measurement plans that are developed and/or recommended by the State of Massachusetts.

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 the USDA's National 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 Goals

- 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.
- 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.

The Gardner Public Schools establishes goals to improve nutrition education and services. The School System provides sequential and interdisciplinary nutrition and physical education to promote life-long health and physical fitness. The District's goal is to encourage and promote good nutrition and fitness both in school and for out of school activities. Gardner Public Schools will work to ensure that all school based activities are consistent with local wellness policy goals and meet current National Association of Sport and Physical Education (NASPE) standards.

The Gardner Public Schools will continue to inform and support the school community by providing appropriate health and wellness programs. We encourage community partnerships and will continue to work with local health and education agencies to assess and report best practices.

Wellness

Nutrition

The Gardner Public Schools maintains a Nutrition Committee, which meets on an as needed basis. The committee may monitor, assess, and provide healthy foods and nutritional awareness for students, parents, and staff.

Students who receive subsidized lunches are identified via computer and identification systems that are confidential and do not discriminate against any student.

A healthy lifestyle for staff is encouraged and supports our overall efforts to promote life-long fitness and health. Staff is encouraged to be role models for good health.

Health Education Guidelines

Schools in the District provide documented health education appropriate for grade level and motivated by health promotion and illness prevention guidelines.

District staff provides health education encompassing mental and physical aspects appropriate for students' grade levels. The program gives students information to promote nutrition and physical fitness throughout their lifespans.

Wellness Policy Goals:

Nutrition Goals

Food will not be used for reward or punishment.

In order to assure healthy and safe foods, any foods or beverages brought into the school for classes will have prior approval from the nurse. Approval is done through the Food In School Approval Form (see Policy JLCE Life Threatening Food Allergies).

Students will have at least 10 minutes for breakfast and 20 minutes for lunch from the time they are seated.

Elementary students will have recess prior to lunch periods when at all possible.

Elementary students will have access to hand washing supplies, and be encouraged to use them, prior to lunch.

The Food Service Department seeks to improve nutritional awareness and provide healthy foods within the school day.

Foods and beverages made available through the Food Service Department are consistent with United States Department of Agriculture Food and Nutrition Service recommendations. For more information regarding these recommendations please visit: https://www.fns.usda.gov/school-meals/policy

Foods available on campus adhere to food safety and security guidelines.

The District strives for a safe, comfortable, pleasing environment, and provides ample space for eating meals.

A la carte items, all items in school stores and snack bars, foods and beverages sold or provided at booster sales, concession stands, and other school sponsored or school related fundraisers and events from midnight of the school day until 30 minutes after the school day, must meet the Competitive Foods and Beverage Nutrition Standards (Appendix A).

Foods and beverages sold in vending machines must meet the Competitive Foods and Beverage Nutrition Standards at all times. (Appendix A)

Prices for school meals are consistent with Massachusetts and Federal guidelines. A la carte items are limited in choices in order to encourage purchase of full meals.

No food may be "ordered out" and consumed in the cafeteria.

No foods purchased outside the cafeteria are allowed until lunch periods are completed.

Lunch periods are scheduled as close to the middle of the students' day as possible.

Only foods and beverages that meet the Massachusetts and USDA Competitive Foods and Beverage Nutrition Standards "At-A-Glance", may be marketed or advertised on the school campus. (Appendix A)

Nutrition Education Goals

The District will provide food and nutrition education for all students as part of the existing Comprehensive School Health Education and Wellness Program

The nutrition education program will be consistent with the Massachusetts State Curriculum Frameworks and will be designed to increase age appropriate nutritional knowledge and skills. This will allow students to assess their own eating habits and be educated consumers with respect to advertising and the media.

The District's teaching staff and food personnel will work together to promote a consistent, coordinated message about nutrition and healthy eating choices.

Physical Fitness

Physical fitness, both structured and general activity, is strongly supported and encouraged according to NASPE guidelines practiced in our schools.

After school and in-school programs follow approved curricula to promote life-long fitness.

Fundraisers that promote physical activity are strongly encouraged. Recess promotes physical activity and withholding recess as a punishment or in lieu of completing other academic work is strongly discouraged.

Physical Education Goals Activity Goals

Physical education classes will promote personal growth, connect with activities that can be maintained outside of school and encourage life long fitness.

Each school provides a sequential and interdisciplinary plan to provide students with access to meaningful physical activity that is consistent with wellness policy goals and outlined according to NASPE curricula and standards.

Every effort will be made to provide physical education appropriate to grade level and to assess and monitor for appropriate use of NASPE guidelines.

Suitable physical education should be part of the education plan for all students. The amount of time that students spend per week in physical education classes and in recess should be designed to achieve a balance between academic goals and the need for physical activity.

Modified programs for students with chronic health problems, disabling conditions, or other special physical needs shall be provided.

All students are required to complete physical education requirements as set forth by the Gardner Public School system.

All interscholastic coaches must have up-to-date training in both First Aid and CPR.

- 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
- <u>— Schools provide opportunities to enable staff to promote enjoyable, lifelong physical activity among students.</u>

Health Education Goals

Health curricula will be consistent with Wellness Policy goals, as well as Massachusetts and federal guidelines.

Health curricula will be monitored and assessed quarterly for consistency and appropriate guidelines, through the Wellness Committee and through physical education teachers' reviews.

Responsibilities

Local Wellness Policy compliance is monitored at the building level by the Principal and School Nurse. . Monitoring at the district level is the responsibility of the Wellness Committee, led by the School Nurse Leader, and supported by the Superintendent of Schools.

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. For more information regarding this visit: https://www.fns.usda.gov/school-meals/policy. The school district will provide physical education training aligned with the standards established by the Department of Elementary and Secondary Education (DESE). District Health and Physical Education Staff, in consultation with the Wellness Committee, will develop procedures that address nutrition and physical education.

Physical Education Activities

• 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, life-long physical activity among students.

Other School-Based Activities Goals

District Health and Physical Education Staff, The Wellness Program Coordinators, in consultation with the Wellness Committee, are charged with developing procedures addressing other school-based activities to promote wellness.by:

• <u>Having Aan adequate amount of time is allowed for students to eat meals in adequate lunchroom facilities.</u>

- <u>Making sure that A</u>all children who participate in subsidized food programs are able to obtain food in a <u>non-stigmatizing</u> manner that <u>which</u> does not identify them to other students.
- Ensuring that eEnvironmentally-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.
- Considering pPhysical activities and/or nutrition services or programs designed to benefit staff health and, to the extent practical, implementing those programs or services.

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. <u>Wellness Program Coordinators</u> <u>District Health and Physical Education Staff, in consultation with the Wellness Committee</u>, 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. <u>Wellness Policy will be evaluated and revised as necessary every 3 years as required by The Healthy Hunger Free Kids Act of 2010.</u>

[Reference: United States Department of Agriculture, 2016] [Adopted: July 2006] [Revised: June 2017] [Reviewed: November 2020] [Revised: November 2022]

SCHOOL COMMITTEE POWERS AND DUTIES

The School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its functions. It sees them as:

- 1. <u>Legislative or policymaking</u>. The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.
 - a. Electing a secretary, finance officer and two alternate finance officers
 - b. Determining policies regarding age of school entrance and requirements for graduation
 - c. Organizing annually on the first Monday in January and shall elect one of its members as Vice Chairman, who shall preside at all meetings of the committee at which the Chairperson is not present
- **2.** <u>Appraisal</u>. The Committee is responsible for evaluating the effectiveness of its policies and their implementation.

a. Hiring and termination of the superintendent

- **3.** <u>**Provision of financial resources**</u>. The Committee is responsible for adoption of a budget that will enable the school district to carry out the Committee's policies.
 - a. Reviewing and approving the budget
 - b. Recommending buildings to be provided for school purposes and providing for the maintenance, repair, and the use of school buildings and grounds
 - c. Providing for and promoting a healthy and safe environment for pupils and school personnel
 - d. Providing for the transportation of pupils in accordance with state laws and local policy

4. <u>**Public relations**</u>. The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the school staff informed about the needs and wishes of the public.

e. Setting up a school calendar

f.e. Providing for community understanding of how the school committee operates-

5. <u>Educational planning and evaluation</u>. The Committee is responsible for establishing educational goals and policies that will guide the Committee and staff for the administration and continuing improvement of the educational programs provided by the School District.

g. Adopting collective bargaining agreements relative to working conditions

Personnel Matters

The Superintendent shall be appointed by vote of the Committee and shall directly report to the Committee as provided by law and perform all the duties that are prescribed by law and such other duties, not inconsistent there to, as a majority of the Committee may direct.

The School Committee shall appoint, upon the recommendation of the Superintendent, Assistant/Associate/Deputy Superintendent(s), School Business Administrator, Special Education Administrator, School Physician, School Nurses, and Supervisor of Attendance. Such positions shall not report directly to the School Committee.

SOURCE: MASC July 2016

SOURCE: MASC - Reviewed 2022

LEGAL REF.: M.G.L. <u>71:37</u> specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.

CROSS REF.: BB, School Committee Legal Status

BDG, School Attorney

NOTE: In addition to the legal reference cited above, regional school districts should addreferences to M.G.L. <u>71:16</u> through <u>71:16I</u>. A reference to an appropriate section(s) ofregional agreement could also be added.

[Reviewed: November 2001]

[Revised: October 2003]

[Revised: February 2017]

[Revised: August 2020]

[Revised: 2022]

GRANTS, PROPOSALS, AND SPECIAL PROJECTS

In accordance with state law, all grants and gifts to the District <u>must shall</u> be reviewed and accepted by the School Committee before expenditure. The school committee will encourage the administration to seek and secure all possible sources of state, federal, and other special funds that will enhance the educational opportunities for the children of our schools.

The superintendent will keep informed of all possible funds available to the school system under the various state and federal programs, and in what manner these funds can best be used in the school system.

The Superintendent will be responsible for coordinating the development of proposals for all specially funded projects and for keeping the Committee apprised and updated on all such projects.

The Superintendent shall ensure the district has and follows a written set of procedures in grant administration that aligns with state and federal laws and regulations.

The superintendent will be responsible for seeking out and coordinating the development of proposals for all specially funded projects and for submitting proposals to the committee for approval.

The superintendent is authorized to sign all reports for these projects and will be responsible for the proper expenditure of funds received for such projects.

[Reference: M.G.L. 44:53A;-71:37A; 2CFR 200 Federal Uniform Administrative Requirements P.L. 874 Impact Aid; Board of Education 603, CMR 32:00; 34:00, MASC 2022] [Adopted: October 1998] [Reviewed: June 2002] [Reviewed: February 2019] [Reviewed: March 2022] [Revised: 2022]