

THE PEOPLE AND THEIR SCHOOL DISTRICT

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

The school committee therefore affirms and declares its intent to:

1. Maintain two-way communications with citizens of the community. The public will be kept informed of the progress and problems of the school district, and citizens will be urged to bring their aspirations and feelings about their public schools to the attention of this body, which they have chosen to represent them in the management of public education.
2. The Education Legislation provides for community and parental involvement through the School District provisions of the legislation.
3. Establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this committee will be made with priority given to the purposes set forth, most crucial of which is the learning of the children enrolled in our schools.
4. Act as a truly representative body for members of the community in matters involving public education. The committee recognizes that ultimate responsibility for public education rests with the state, but individual school committees have been assigned specific authority through state law. The committee will not relinquish any of this authority since it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

SOURCE: Medfield

SMOKING ON SCHOOL PREMISES

Use of any tobacco products within the school buildings, school facilities, or on school grounds or school buses by any individual, including school personnel and students, is prohibited at all times.

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

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

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

Signs shall be posted in all school buildings informing the general public of the district policy and requirements of state law.

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

CROSS REFS.: ADC, Smoking on School Premises
GBED, Tobacco Use on School Property by Staff Members

SOURCE: Medfield

TOBACCO PRODUCTS ON SCHOOL PREMISES PROHIBITED

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

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

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

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

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.

SOURCE: MASC July 2016

LEGAL REF: M.G.L. 71:37H; 270:6

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

CRIMINAL OFFENDER RECORD INFORMATION (C.O.R.I.) REQUIREMENTS

It shall be the policy of the Medfield Public Schools to obtain, periodically, but not less than every 3 years, all available Criminal Offender Record Information (C.O.R.I.) from the department of criminal justice information systems ("DCJIS") for any current or prospective employee(s) or volunteer(s) of the school department or any subcontractor or laborer commissioned by the school committee or school to perform work on school grounds, who may have direct and unmonitored contact with children, including any individual who regularly provides school related transportation to children. The school committee or other administrator shall also obtain a state and national fingerprint-based criminal background check to determine the suitability of current and prospective employees of the school department who may have direct and unmonitored contact with children. The school committee shall only obtain a state and national finger print-based criminal background check for current and prospective employees for whom the school committee has direct hiring authority. The superintendent, principal or other administrator shall also obtain a national finger-print based criminal background check for any individual who regularly provides school related transportation to children. The school committee, superintendent or principal or other administrator may obtain a state and national fingerprint-based criminal background check for any volunteer, subcontractor or laborer commissioned by the school committee or school or employed by the city or town to perform work on school grounds, who may have direct and unmonitored contact with children.

Pursuant to a Department of Education C.O.R.I. Law Advisory dated May 7, 2007, "Direct and unmonitored contact with children means contact with a child when no other C.O.R.I. cleared employee of the school or district is present. A person having only the potential for incidental unsupervised contact with children in commonly used areas of the school grounds, such as hallways, shall not be considered to have the potential for direct and unmonitored contact with children. These excluded areas do not include bathrooms and other isolated areas (not commonly utilized and separated by sight or sound from other staff) that are accessible to students."

All current or prospective employee(s) or volunteer(s) or any subcontractor or laborer commissioned by the school committee or school to perform work on school grounds, who may have direct and unmonitored contact with children, including any individual who regularly provides school related transportation to children, shall sign a request form authorizing receipt by the district of all available C.O.R.I. data from the DCJIS, along with verification of identity.

Current and prospective employees of the school department and any individual who regularly provides school related transportation to children must also sign a form authorizing the district to receive the individual's national criminal history check results, referred to as Criminal History Record Information (C.H.R.I.). Any volunteer, subcontractor or laborer commissioned by the school committee or school or employed by the city or town to perform work on school grounds, who may have direct and unmonitored contact with children may also be required to sign a form authorizing the district to receive the individual's C.H.R.I.

In the event that a current employee has questions concerning the signing of the request form, he/she may meet with the Principal or Superintendent; however, failure to sign the C.O.R.I. or national criminal history check request form may result in a referral by local counsel for appropriate action. Completed request forms must be kept in secure files.

The School Committee, Superintendent, Principals or their designees certified to obtain information under this policy, shall only disseminate C.O.R.I. and C.H.R.I. as authorized by law and regulation.

C.O.R.I. and C.H.R.I. are not subject to the public records law and must be kept in a secure location, separate from personnel files. C.O.R.I. may be retained for not more than seven years from the date of employment or volunteer service or from the date of the final employment, whichever occurs later. The District must retain documentation of its review of an employee, applicant, subcontractor, laborer, school transportation provider, or volunteer's national criminal history check results for the duration of an employee's employment or seven years, whichever is longer. The documentation must include, and is limited to, the following: 1. The name and date of birth of the employee or applicant; 2. The date on which the school employer received the national criminal history check results; and 3. The suitability determination (either "suitable" or "unsuitable"). Once employment decisions are complete and the requirements of 603 CMR 51.07, if applicable, are met, the employer shall destroy national criminal history check results pursuant to the requirements regarding C.O.R.I. destruction set forth in 803 CMR 2.12.

C.O.R.I. and C.H.R.I. may be shared with the individual to whom it pertains, upon his or her request, and before making an adverse employment decision based on the individual's C.O.R.I. or C.H.R.I.

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

The hiring authority, subject to applicable law, reserves the exclusive right concerning any employment decision made pursuant to Chapter 385 of the Acts of 2002. The employer may consider the following factors when reviewing C.O.R.I. and C.H.R.I.: the type and nature of the offense; the date of the offense and whether the individual has been subsequently arrested, as well as any other factors the employer deems relevant. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on C.O.R.I. and C.H.R.I. checks will be made consistent with this policy and any applicable law or regulations.

If a criminal record is received from the DCJIS or the FBI, the Superintendent will closely compare the record provided by DCJIS and/or the FBI with the information on the C.O.R.I. and C.H.R.I. request forms and any other identifying information provided by the applicant, to ensure the record relates to the applicant.

If the district is inclined to make an adverse decision based on the results of the C.O.R.I. and/or the C.H.R.I., the applicant will be notified immediately. The applicant shall be provided with a copy of the C.O.R.I. and/or CH.R.I. and the district's C.O.R.I. and C.H.R.I. policy, advised of the part(s) of the record that make the individual unsuitable for the position of license, given an opportunity to dispute the accuracy and relevance of the C.O.R.I. record, and provided with a copy of state and FBI information regarding the process for correcting C.O.R.I. and C.H.R.I. The school district will document all steps taken to comply with these requirements.

The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that a condition of employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any current or prospective employee, subcontractor or laborer commissioned by the school committee or school to perform work on school grounds, individual who regularly provides school related transportation, or volunteer who may have direct and unmonitored contact with children. Current employees, persons who regularly provide 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 application for employment shall also include a statement that as a condition of employment the school district is required by law to obtain Criminal History Record Information of current and prospective employees, any individual who regularly provides school related transportation to children and any subcontractor or laborer commissioned by the school committee or school to perform work on school grounds who may have direct and unmonitored contact with children.

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 commissioner of probation may answer "no record" with respect to an inquiry herein relative to prior arrests, criminal court appearances or convictions. An applicant for employment with a sealed record on file with the commissioner of probation may answer 'no record' with respect to an inquiry herein relative to prior arrests or criminal court appearances. In addition, any applicant for employment may answer "no record" with respect to any inquiry relative to prior arrests, court appearances and adjudications in all cases of delinquency or as a child in need of service which did not result in a complaint transferred to the superior court for criminal prosecution." Records sealed pursuant to law shall not operate to disqualify a person in any examination, appointment or application for public service on behalf of the Commonwealth or any political subdivision thereof.

The Superintendent shall revise contracts with special education schools and other providers to require a signed statement that the provider has met all the 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.

Any school employer who has dismissed, declined to renew the employment of, obtained the resignation of, or declined to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a national criminal history check shall report such decision or action to the Commissioner in writing within 30 days of the employer action or educator resignation. The report 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 national criminal history check results. The school employer shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(1) to the Commissioner.

File: ADDA

Any school employer who discovers information from a national criminal history 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): Grounds for License Action shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether the employer retains or hires the educator as an employee. The report must include a copy of the national criminal history check results. The school employer shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(2) to the Commissioner and shall also send a copy of the national criminal history check results to the employee or applicant.

The failure of a school administrator who holds an educator license to make any such report to the Commissioner shall be grounds for license sanction pursuant to 603 CMR 7.15(8)(h): Administrator's Obligation to Report.

LEGAL REFS.: M.G.L. 71:38R; 6:167-178; 176:100A
603 CMR 51.00
803 CMR 2.00
MCAD Regulations and D.E.S.E. Advisory on C.O.R.I. Law (May 7, 2007)
803 CMR 3.05 (Chapter 149 of the Acts of 2004)

CROSS REFS.: ADDA-R, C.O.R.I. Requirements
ADDA-E, C.O.R.I. Requirements

SOURCE: Medfield

MG: Is this MASC policy different from our CORI policy ADDA?

BACKGROUND CHECKS

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

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

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

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

Requesting CHRI (Criminal History Record Information) checks

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

Access to CHRI

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

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

Storage of CHRI

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CJIS Security Policy have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage, retention and destruction of CHRI.

Retention and Destruction of CHRI

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

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

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

CHRI Training

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

Determining Suitability

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

Medfield Public Schools

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

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

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

Relying on Previous Suitability Determination.

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

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

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

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

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

Adverse Decisions Based on CHRI

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

Provide the individual with a copy of their 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 their CHRI;

and

Provide the individual with information on the process for updating, changing, or correcting CHRI.

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

If a school employer receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, the school employer may

request that an individual, after providing him a copy of said background check, provide additional information regarding the results of the criminal background checks to assist the school employer in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter 151B, S. 4,(9,9 ½). Furthermore, in exigent circumstances, a school employer may, pursuant to the terms of DESE regulations (see specific regulations in legal

references), hire an employee on a conditional basis without first receiving the results of a national criminal background check. After exhausting several preliminary steps as contained in the above referenced regulation the district may require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be asked to provide information about juvenile adjudications or sealed convictions. The superintendent is advised to confer with legal counsel whenever 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:

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

Reporting to Commissioner of Elementary and Secondary Education

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

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

C.O.R.I. REQUIREMENTS

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

The Superintendent, 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, they 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

File: ADDA

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.

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

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

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

SOURCE: MASC October 2014

NOTE: The Department of Criminal Justice Information Services (DCJIS) has adopted regulations requiring that it maintain a model CORI policy and that any written policy must meet the minimum standards as found in the model. Therefore, MASC recommends that school districts retain both the school district specific policy incorporated here and the DCJIS model policy attached as ADDA-R. Do you mean our current ADDA “CORI Requirements” Policy, plus adding ADDA-R from the DCJIS and ADDA-E-1?

TMK - Their ADDA Background Checks with addition of XX will require vote

MG: Is this policy necessary or replaced by the two others?

C.O.R.I. REQUIREMENTS

Applicants challenging the accuracy of the policy shall be provided a copy of the department of criminal justice information systems ("DCJIS") *Information Concerning the Process in Correcting a Criminal Record*. If the CORI record provided does not exactly match the identification information provided by the applicant, the Superintendent will make a determination based on a comparison of the CORI record and documents provided by the applicant. The Superintendent may contact the DCJIS and request a detailed search consistent with DCJIS policy.

If the Superintendent reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in district policy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

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

The Superintendent will notify the applicant of the decision and the basis of the decision in a timely manner.

SOURCE: Medfield

DCJIS MODEL CORI POLICY

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

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

CONDUCTING CORI SCREENING

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

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

ACCESS TO CORI

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

CORI TRAINING

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

USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING

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

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

VERIFYING A SUBJECT'S IDENTITY

DRAFT

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

1 of 2

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

INQUIRING ABOUT CRIMINAL HISTORY

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

DETERMINING SUITABILITY

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

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

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

ADVERSE DECISIONS BASED ON CORI

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

SECONDARY DISSEMINATION LOGS

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

MG: this one needs some reworking and clarifying with JM

WELLNESS POLICY

The Medfield Public School (MPS) District is committed to promoting students' health, well-being and ability to learn by supporting healthy eating habits and physical activity. To promote lifelong habits of healthy eating and physical activity for all students, nutrition and physical education is provided in all grades.

MPS maintains a district Health Advisory Committee to monitor and address health and wellness issues and includes: students, parents, teachers, administrators, food service professionals, health professionals and other interested community members. The committee meets four times a year and establishes annual goals and objectives that are shared with the Superintendent.

Nutrition Education and Wellness Promotion

1. Nutrition education is offered at each grade level as part of a sequential, comprehensive program drawn from the Massachusetts Comprehensive Health Curriculum Framework, the National Health Standards and the Dietary Guidelines for Americans. The curriculum is designed to provide students with the knowledge and skills necessary to make healthy lifestyle choices. Where appropriate, nutrition concepts are integrated into the curriculum and are also offered via nutrition promotion as part of the school lunch program.
2. Medfield Public Schools provides nutrition education professional development opportunities for kitchen staff as well as teaching staff as indicated.
3. Communication with families and the community is encouraged to support students' nutrition, lifelong physical activity and healthy lifestyle.

Nutrition Standards for School Meals

4. The School Meals Program complies with Massachusetts and USDA Competitive Foods and Beverage Nutrition Standards.
See <http://www.mass.gov/eohhs/docs/dph/mass-in-motion/school-nutrition-glance.pdf>
Fresh and locally grown food items are served when possible.
5. Schools ensure that the dining areas are safe and comfortable, and sufficient time is provided for students to purchase and consume meals.
6. For reasons of safety and hygiene, school staff discourage children from sharing and trading food and beverages.
7. Medfield Food Services provides information on the schools' websites on the nutrient content and potential allergens in the foods sold in schools.

8. Food service staff evaluate product placement in the cafeteria to promote the purchase of healthy items.

Nutrition Standards for Competitive Foods

9. For food sold a la carte and from snack and vending machines, MPS complies with the recommendations set forth in *Massachusetts a la Carte Food and Beverage Standards Manual*, from Massachusetts Action for Healthy Kids, that limit fat, sugar and sodium content of snacks, beverages and desserts.
10. Schools do not celebrate individual student birthdays with food. Healthy choices (fruits, vegetables, whole grains, and low-fat dairy) are available at school-wide celebrations.
11. Before using any food item in class or a school sponsored event, teachers will consult with the school nurse about possible allergies or other health concerns.
12. School stores do not sell any food, beverage or candy items that do not meet the MA nutritional guidelines.
13. Food or beverages are not used as a reward or incentive, except as documented in a student's Individual Education Plan.
14. Empty calorie fundraising items (such as candy bars) are discouraged and may not be sold during school hours.

Physical Education & Physical Activity

15. A written Physical Education curriculum will be maintained in all schools. The Physical Education Program will provide opportunities for every student to develop the knowledge and skills for achieving physical literacy in a wide range of activities, both competitive and non-competitive, to maintain physical fitness and to understand the short and long-term benefits of a physically active and healthful lifestyle.
16. Whenever possible teacher/student ratios for Physical Education classes will follow School Committee Guidelines that regulate classroom sizes.
17. No waivers are allowed as substitute activities for Physical Education /Wellness requirements.
18. Teachers will not withhold a physical activity, such as the recess period, from a student as a **consequence or for behavior management**.
19. All classroom teachers are encouraged to integrate physical activity into learning activities.

20. Opportunities are provided when possible for students and staff to maintain or improve physical fitness in either before-school or after-school programs.

(Additional header of “Other School-based activities” here)

Evaluation

21. The Wellness Policy is evaluated by the Health Advisory Committee every three years and findings are disseminated to the Superintendent.

Revised: 10/11/17
SOURCE: Medfield

**MG: Would like to add highlighted parts to our current policy
TMK - Meghan to check with JM per above and REport Back**

SCHOOL DISTRICT WELLNESS PROGRAM

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

Wellness Committee

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

Nutrition Guidelines

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

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

Nutrition and Physical Education

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

Nutrition Education

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

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

Physical Education Activities

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

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

Other School-Based Activities

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

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

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

Evaluation

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

SOURCE: MASC

ADOPTED: April 20, 2006

LEGAL REFERENCES UPDATED: September 2019

LEGAL REFS.: The Child Nutrition and WIC Reauthorization Act of 2004, Section 204,
P.L. 108 -265
The Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1769h
The Child Nutrition Act of 1966, 42 U.S.C. §§ 1771 - 1789
M.G.L. 111:223
105 CMR 201

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