

## NONDISCRIMINATION

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

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encourage positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

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

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972

Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

M.G.L. 76:5; Amended 1993

M.G.L.76:16 (Chapter 622 of the Acts of 1971)

Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, as amended 10/24/78

Board of Education 603 CMR 26:00

Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

CROSS REFS.: ACA- ACE, Subcategories for Nondiscrimination

GBA, Equal Employment Opportunity

JB, Equal Educational Opportunities

**NONDISCRIMINATION ON THE BASIS OF SEX**

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

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

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

LEGAL REFS.: Title IX of the Education Amendments of 1972  
45 CFR, Part 86, (Federal Register, 6/4/75)  
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)  
Board of Education Chapter 622 Regulations Pertaining to Access to Equal  
Educational Opportunity, adopted 6/24/75, amended 10/24/78  
Board of Education 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

SILVER LAKE REGIONAL SCHOOL DISTRICT & SUPERINTENDENCY UNION 31  
SEXUAL HARASSMENT POLICY/COMPLAINT PROCEDURE  
FOR STUDENTS

PURPOSE

To create for all Silver Lake Regional School District and Superintendency Union 31 students a study environment free of sexual harassment.

The Silver Lake Regional School District and Superintendency Union 31 are committed to safeguarding the right of all persons associated with the Silver Lake Regional School District and Superintendency Union 31, including students, employees, school committee members and volunteers to a work and educational environment that is free from all forms of sexual harassment on its premises.

All individuals associated with the District and Union, but not necessarily limited to the School Committee, the administration, the staff, students and members of the public while on campus, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community or while on school property will be in violation of this policy.

Appropriate disciplinary action, up to and including dismissal, will be taken in any instance where an employee violates this policy. Sexual harassment by a student will result in disciplinary action up to and including expulsion. Sexual harassment by others will result in their being excluded from School premises or if it is required that they enter the premises, they will be accompanied by a School District representative at all times.

If the sexual harassment is criminal in nature, the offense shall be reported to the police department as well as the Title IX Coordinator. If the sexual harassment requires the intervention of State social service or protective agencies, the proper authorities will be contacted. In these circumstances, the School's attorney will be immediately contacted to give advice and guidance on how to process these actions with the appropriate authorities.

Any student who believes that he or she has been subjected to sexual harassment should make a complaint to any administrator, the Title IX Coordinator, or directly to the Superintendent, so that appropriate action may be taken at once.

Management representative and school employees are charged with the responsibility of discouraging any sexually harassing behaviors within or outside of their areas of supervision or on school premises. This includes directly confronting the harasser when a management representative observes harassing behavior, and immediately reporting the activity to the Title IX Coordinator.

The Title IX Coordinator will investigate complaints promptly, and corrective action will be taken where appropriate. No person will suffer retaliation or intimidation as a result of using the internal complaint procedure, or for cooperating in an investigation of a sexual complaint.

A copy of this policy and its accompanying regulations are posted in appropriate places, and made available to individuals upon request.

The Title IX Coordinator for the Silver Lake Regional School District and Superintendency Union 31 is Joy Blackwood, 250 Pembroke Street, Kingston, MA 02364, (781) 585-4313

## SEXUAL HARASSMENT DEFINITION

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

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

Sexual harassment may include, but is not limited to:

1. Assault, inappropriate touching, intentionally impeding movement, comments, gestures, or written communications of a suggestive or derogatory nature.
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment)
3. Implying or actually withholding grades earned or deserved, suggesting that a poor performance evaluation will be prepared, or suggesting that a scholarship recommendation or college application will be denied.
4. Coercive sexual behavior used to control, influence or affect the educational opportunities, grades and/or the learning environment of a student.
5. Offering or granting favors or education benefits, such as grades or recommendations, in exchange for sexual favors.

Other sexual harassing behavior directed towards students, whether committed by management, staff, or students, is also prohibited. Such conduct includes but is not limited to:

1. Unwelcome sexual flirtations, advances or propositions;
2. Sexually explicit language or gestures;
3. Touching that an individual interprets as sexual in nature;
4. Any unwelcome physical contact;
5. The presence of sexually provocative photographs, pictures or other material, and the telling of sexual stories or jokes.
6. Verbal or non-verbal behavior about an individual's body that is interpreted as sexual in nature.

## COMPLAINT PROCEDURE INFORMAL PROCESS FOR STUDENTS

In determining whether an alleged incident constitutes sexual harassment, the Title IX Coordinator will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure outlined below, unless the Title IX Coordinator is the subject of the complaint.

1. Any student of the District or Union 31 who believes that he/she has been subjected to sexual harassment is to report the incident(s) to any administrator, Title IX Coordinator, or directly to the Superintendent. The administrator and/or Superintendent are to immediately contact the Title IX Coordinator. A written record of the complaint will be made by the party receiving the complaint. A separate file system will be maintained, apart from the student's personal record, regarding these complaints and as to all matters relating to the complaints.
2. If the alleged harassment involves the Title IX Coordinator, the Superintendent of Schools will act as the Title IX Coordinator.
3. If the alleged harassment involves the Superintendent of Schools, the Secretary of the School Committee will act as the Title IX Coordinator.

4. The Superintendent and the Title IX Coordinator will look at the totality of the circumstances and the context in which the alleged incidents occurred. They will attempt to resolve the problem by conferring with both parties in order to obtain a clear understanding of the facts. All matters involving sexual harassment complaints will remain confidential to the extent possible.
5. Students may be accompanied, at any phase of this process or subsequent hearing before the Committee, by a parent, guardian or representative of their choosing. Parents will be immediately notified by the Title IX Coordinator of the existence of a student's report of sexual harassment.
6. The Title IX Coordinator will explain each phase of the Informal and Formal Complaint Process to a student who wishes to file a complaint and will assist the student in the processing of the complaint. In addition, the Title IX Coordinator will inform the student of additional forums for resolution of the complaint such as the Office of Civil Rights (O.C.R.) and the Massachusetts Commission Against Discrimination (M.C.A.D.).
7. Under normal circumstances, the Title IX Coordinator's investigation will be completed within five working days of the initial complaint. Upon completion of the investigation, the Title IX Coordinator shall issue his/her findings in writing to the student and the alleged harasser.

#### COMPLAINT PROCEDURE FORMAL PROCESS FOR STUDENTS

1. A complainant may file a formal complaint immediately or may do so after the Superintendent and the Title IX Coordinator's efforts to reach a settlement under the informal process have proven unsuccessful.
2. The complaint will state clearly and concisely the complainant's description of the incident and it will also indicate any remedy sought. The complaint must be signed by the complainant. The Superintendent's office will send the respondent a copy of the complaint within five working days after it is received. A separate file system shall be maintained as to all matters relating to the complaint. Confidentiality shall be maintained to the extent possible.
3. The respondent will have ten working days to respond in writing. This statement will contain full and specific references to each claim in the complaint, admitting, denying or explaining the complainant's allegations. The respondent must sign his or her statement which will then be appended to the original complaint. Within three working days, the Superintendent's office will forward both statements to the complainant and the respondent.
4. There will be two modes of resolution for formal complaints. A complaint may be settled through mediation or through a hearing. If the complainant and respondent agree to pursue mediation, a date mutually acceptable to both parties will be set within ten working days. If the mediation results in a mutually acceptable agreement, copies of the agreement will be forwarded to both parties. If the mediation does not result in an agreement, the case will be forwarded to the Superintendent for a hearing unless the Superintendent is the alleged harasser in which case the hearing will be before the Silver Lake Regional School District School Committee.
5. When a hearing is requested, the Title IX Coordinator will inform the Superintendent or the School Committee, as the case may be, and the case will be heard at the next regularly scheduled meeting of the School Committee pursuant to the provisions of the Commonwealth's Open Meeting Law and/or before the Superintendent pursuant to M.G.L., c.71 s42.

#### DECISION OF THE COMMITTEE OR THE SUPERINTENDENT

1. After all the evidence, testimony, and written arguments have been presented, the appropriate school committee will convene for deliberations to determine whether the school system's policy on sexual harassment has been violated. If the Committee finds after a roll call vote that the policy has not been violated, that fact will be registered in the records of the hearing, and the written decision will be forwarded to the complainant and the respondent no later than fifteen working days after completion of the hearing.

2. If the Committee finds after a roll call vote that the charge of violating the school system's policy on sexual harassment has been substantiated, the Committee will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Committee will issue such decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.
3. In hearings before the Superintendent, if the Superintendent finds that the charge of violating the school system's policy on sexual harassment has been substantiated, the Superintendent will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Superintendent will issue such decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing. The findings of facts as well as the penalty and relief will be based solely on the testimony and evidence presented at the hearing.
4. The penalty should reflect the severity of the harassment. The penalties may include, but will not be limited to, any one or combination of the following: verbal admonition, written warning placed in the respondent's personnel file or student record, probation, suspension without pay, dismissal, demotion, or removal from administrative duties within a department; students may be subject to suspension or expulsion proceedings following a finding that the policy has been violated. The Committee or Superintendent may also make appropriate recommendations, such as professional counseling, and may recommend relief for the complainant which reinstates and restores, as much as possible, the aggrieved party.

### **NON-DISCRIMINATION ON THE BASIS OF HANDICAP**

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's or Union 31 facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or Union 31 or be subject to discrimination. Nor shall the District or Union 31 exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

**Definition:** A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District or Union 31.

**Reasonable Modification:** The District and Union 31 shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District or Union 31 can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

**Communications:** The District and Union 31 shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. The District and Union 31 shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District and Union 31. In determining what type of auxiliary aid or service is necessary, the District and Union 31 shall give primary consideration to the requests of the individuals with disabilities.

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

**Limits of Required Modification:** The District and Union 31 are not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District or Union 31 shall be made by the appropriate School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

**Notice:** The District and Union 31 shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District or Union 31. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

**Compliance Coordinator:** The District and Union 31 shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District and Union 31 shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school system receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

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

LEGAL REFS.: Rehabilitation Act of 1973, Section 504

Education for All Handicapped Children Act of 1975

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

Title II, Americans with Disabilities Act of 1992

Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

CROSS REFS.: AC, Nondiscrimination

IGB, Support Services Programs

### **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

### **SAFE SCHOOLS POLICY**

This policy is adopted by the Silver Lake Regional School District and Superintendency Union #31 as required by M.G.L. c.71, §37H, for purposes of notifying members of the public, students, teachers and other staff of the District's Standards and Procedures to assure school building security and safety of students and school personnel. This policy is intended to be in accordance with standards for classroom safety adopted by the State Board of Education pursuant to M.G.L. c.69, §1B which standards are incorporated by reference herein.

The community shall encourage the creation and maintenance of a safe and secure learning environment in every school building. The creation of a safe learning environment will be enhanced by the provisions of sufficient resources for procurement and maintenance of appropriate safety personnel and devices.

Administration, staff and students in each school building shall strive to create an educational environment which is reasonably safe and secure in order to:

1. Facilitate learning and teaching.
2. Preserve the physical and mental well being of all lawful occupants of the building.

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

It shall be the policy of the Silver Lake Regional School District and Superintendency Union #31 to obtain all available Criminal Offender Record Information (C.O.R.I) from the criminal history systems board 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 C.O.R.I. 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 criminal history systems board 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 C.O.R.I. Law Advisory dated February 17, 2003, “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.”

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 a request form authorizing receipt by the district of all available C.O.R.I. data from the criminal history systems board. 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. request form may result in a referral to 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 prohibit the dissemination of school information for any purpose other than to further the protection of school children.

C.O.R.I. 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. C.O.R.I. may be shared with the individual to whom it pertains, upon his or her request, and in the event of an inaccurate report the individual should contact the criminal history systems board.

Access to C.O.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.: 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. checks will be made consistent with this policy and any applicable law or regulations.

If a criminal record is received from the Criminal History Systems Board (CHSB), the Superintendent will closely compare the record provided by CHSB with the information on the C.O.R.I. request form 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. check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the district's C.O.R.I. policy, advised of the part(s) of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the C.O.R.I. record.

The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any employee, individual who regularly provides school related 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 (see attachment) 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 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' 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.

As soon as possible after the district obtains the certification from the criminal history systems board to receive C.O.R.I. data, the Superintendent shall obtain such data for any person then providing volunteer service, as a condition of continued service.

LEGAL REFS.: M.G.L.71:38R, 151B, 276, §.100A, St.2002, c.385  
MCAD Regulations and D.O.E. Advisory on C.O.R.I. Law (Feb 17, 2003)  
803 CMR 3.05 (Chapter 149 of the Acts of 2004)

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

Applicants challenging the accuracy of the policy shall be provided a copy of the Criminal History Systems Board's (CHSB) *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 CHSB and request a detailed search consistent with CHSB 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 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;
- (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.

## INFORMATION CONCERNING THE PROCESS IN CORRECTING A CRIMINAL RECORD

If you have undergone a background check by an agency that has received a criminal record from the CHSB, you may ask the agency to provide you with a copy of the criminal record. You may also request a copy of your adult criminal record from the Criminal History Systems Board, 200 Arlington Street, Suite 2200, Chelsea, MA 02150 by calling (617) 660-4640 or go to [www.mass.gov/chsb/cori/cori\\_forms.html#pers](http://www.mass.gov/chsb/cori/cori_forms.html#pers).

The CHSB charges \$25.00 fee to provide an individual with a copy of his/her criminal record. You may complete an affidavit of indigency and request that the CHSB waive the fee.

Upon receipt, review the record. If you need assistance in interpreting the entries or dispositions, please review the disposition code and "how to read a BOP" on the CHSB's website [www.mass.gov/chsb/cori/cori\\_bop.html](http://www.mass.gov/chsb/cori/cori_bop.html). The CHSB does not offer "walk-in" service but you may call our Legal Division at (617) 660-4760 for assistance or the CORI Unit of the Office of the Commissioner of Probation at (617) 727-5300.

If you believe that a case is opened on your record that should be marked closed, you may contact the Office of the Commissioner of Probation CORI Unit at (617) 727-5300 for assistance, or you may go to the Probation Department at the court where the charges were brought and request that the case(s) be updated.

If you believe that a disposition is incorrect, contact the Chief Probation Officer at the court where the charges were brought or the CORI Unit at the Office of the Commissioner of Probation and report that the court incorrectly entered a disposition on your criminal record.

If you believe that someone has stolen or improperly used your identity and were arraigned on criminal charges under your name, you may contact the Office of the Commissioner of Probation CORI Unit or the Chief Probation Officer in the court where the charges were brought. For a listing of courthouses and telephone numbers please see [www.mass.gov/chsb/cori/cori\\_codes\\_court.html](http://www.mass.gov/chsb/cori/cori_codes_court.html).

In some situations of identity theft, you may need to contact the CHSB to arrange to have a fingerprint analysis conducted.

If there is a warrant currently outstanding against you, you need to appear at the court and ask that the warrant be recalled. You cannot do this over the telephone.

If you believe that an employer, volunteer agency, housing agency or municipality has been provided with a criminal record that does not pertain to you, the agency should contact the CORI Unit for assistance at (617) 660-4640.

## C.O.R.I. REQUIREMENTS

### Employers may ask the following series of questions:

1. Have you been convicted of a felony? Yes or no?
2. Have you been convicted of a misdemeanor within the past five years (other than a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace)? Yes or no?
3. Have you completed a period of incarceration within the past five years for any misdemeanor (other than a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace)? Yes or no?
4. If the answer to question number 3 above is “yes” please state whether you were convicted more than five years ago for any offense (other than a first conviction for any of the following misdemeanors: drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace)? Yes or no?

Some employers are authorized to request, receive, view and/or hold criminal offender record information pursuant to state or federal law.

Any inquiry into the criminal record of an applicant must also contain language pursuant to M.G.L. c. 276, § 100A.

### It is unlawful for an employer to make any inquiry of an applicant or employee regarding:

1. An arrest, detention or disposition regarding any violation of law in which no conviction resulted.
2. First convictions for the misdemeanors of drunkenness, simple assault, speeding, minor traffic violations, affrays or disturbance of the peace. For the purposes of 804 CMR 3.02 minor traffic violations include any moving traffic violation other than reckless driving, driving to endanger and motor vehicle homicide.
3. Any conviction of a misdemeanor where the date of the conviction or the completion of any period of incarceration resulting therefrom, which ever date is later, occurred five or more years prior to the date of such inquiry, unless such person has been convicted of any offense within five years immediately preceding the date of the inquiry.

No person shall be held under any provision of any law to be guilty of perjury or of otherwise giving false statement by reason of his failure to recite or acknowledge such information as he has a right to withhold by 804 CMR 3.02.

## SILVER LAKE REGIONAL SCHOOLS - WELLNESS

### Overview Statement

Demonstrating commitment to the full development of our students, the Silver Lake Regional School District endorses the following Wellness Policy. This policy shall define the goals and the means to further our students' understanding of the important role that good nutritional choices and physical activity will have on their lives. Central to this policy statement is the belief that success will be achieved from the combined efforts and encouragement of teachers, administrators, staff, and parents. We recognize wellness is a critical component that enhances a student's academic performance.

### Nutritional Goals

**The primary goal of nutrition education is to facilitate the voluntary adoption of eating and other nutrition-related behaviors conducive to health and well-being.**

- Nutrition education will be integrated across core content and specialized areas as appropriate.
- Professional development activities for nutrition education will be available to designated staff.
- The school cafeteria will serve as a learning opportunity to allow students to apply critical thinking skills taught in the classroom.
- Nutrition education will involve sharing information with families and the broader community to impact students and the health of the community positively.
- Students will be encouraged to start each day with a healthy breakfast.

### Nutrition Guidelines for ALL Foods on Campus

#### School Meals Program

The School Food and Nutrition Service Department is required to provide approved school lunches each day that school is in session. School meals shall meet nutrition standards established by the USDA. Students must be given adequate time to eat.

#### Food Items

Main course food items offered in elementary, middle, and high schools as an alternative to or in addition to the reimbursable meal will be offered in reasonable portion sizes that are consistent with guidance provided by USDA for Child Nutrition Programs. Packaged a la cart food will meet the guidelines from the "A" List (Massachusetts Acceptable A La Cart Food & Beverage Standards)

#### Beverages

The sale of beverages in school cafeterias during the school day is limited to the following:

- Water
- Flavored water
- Flavored and unflavored milk
- 100% fruit/vegetable juice
- Fruit vegetable juice beverages with at least 10% fruit/vegetable juice and 100% Vitamin C
- Iced tea
- Isotonic beverages (sport drinks)

## **School Activities Involving Foods and Beverages**

### **Food and Beverages:**

All foods made available to students in schools will comply with the current USDA Dietary Guidelines for Americans and federal, state, and local laws, including safety and sanitation standards set by the Health Department Hazard Analysis and Critical Point (HACCP) plans and guidelines. These guidelines include but are not limited to the following:

- a. School Meals Programs
- b. A la carte
- c. Vending machines
- d. Beverages
- e. Classroom lessons
- f. Fundraisers
- g. Concession stands
- h. Students stores
- i. Student rewards
- j. School and extracurricular activities

Nutrition information for products offered in snack bars, a la carte, vending and school stores is readily available near the point of purchase.

Schools are encouraged to consider wellness issues and student allergies when planning incentive or promotional activities and to promote healthy food and beverage choices at all events where foods and beverages are available to students.

Foods and beverages should not be offered as a reward to withhold as punishment.

Students must have access to water throughout the school day.

Prohibited Foods include foods of minimal nutrition value.

### **Vending Machines Access**

- All vending machines, except those operated by the school food and nutrition service department to expedite meal service, shall have and use timing devices to prohibit access to the vending machines from 12:01 a.m. until the end of the school day.
- Beverages-sold after the end of the school day through vending machines shall be limited to:
  - a. Water
  - b. Flavored water
  - c. Flavored & unflavored milk
  - d. 100% fruit/vegetable juice
  - e. Iced tea
  - f. Isotonic beverages (sports drinks)

### **Safety and Security**

To help ensure the health and safety of the students in our schools the following procedures will be implemented:

- For the safety and security of the food and facility, access to the food service facilities is limited to Food and Nutrition Service Staff.
- Schools will provide students the opportunity to wash their hands before and after eating meals and snacks.

### **Physical Activity Goals**

**The primary goal of physical activity is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, regularly participate in physical activity, and understand the short and long-term benefits of a physically active and healthy lifestyle.**

- A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity should be included in a school's education program from grades pre-K through 12. Physical activity should include regular instructional physical education, co-curricular activities, and recess. Substituting any one of these components for, the other is not appropriate.
- The school will provide curriculum and instruction that is aligned with the MA Frameworks Comprehensive Health, Standard 2: Physical Activity.
- A daily recess period will be provided for grades K-6, which will not be denied as a consequence of behavior or for academic purposes.
- The school will provide a physical and social environment that encourages safe and enjoyable activity for all students, not limited by athletic ability.
- Information will be provided to families to help them incorporate physical activity into their children's lives.
- Schools are encouraged to provide community access to and encourage students and community members to use the school's physical activity facilities outside of the normal school day.

### **Monitoring and Evaluation**

#### **Monitoring**

The Superintendent or designee will ensure compliance with the Silver Lake Regional Schools Wellness Policy. In each school, the Principal or designee will ensure compliance with the Wellness Policy and will report on the school's compliance to the school district superintendent or designee.

School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent, designee, or school principal. In addition, the school district will report on the most recent USDA School Meals Initiatives (SMI) review finding and any resulting changes.

The Superintendent or designee will develop a summary report every three years on District-wide compliance with the Wellness Policy based on input from the schools within the Region and the Union. That report will be provided to the school committees, parent/teacher organizations, school principals, and school health services personnel in the Region.

### **Policy Review and Evaluation**

Every three years each school in the Region will conduct an assessment of the implementation of the standards in the wellness policy. The district will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

## **HALIFAX PUBLIC SCHOOLS - WELLNESS**

### **Overview Statement**

Demonstrating commitment to the full development of our students, Halifax School Committee endorses the following Wellness Policy. This policy shall define the goals and the means to further our students' understanding of the important role that good nutritional choices and physical activity will have on their lives. Central to this policy statement is the belief that success will be achieved from the combined efforts and encouragement of teachers, administrators, staff, and parents. We recognize wellness is a critical component that enhances a student's academic performance.

### **Nutritional Goals**

**The primary goal of nutrition education is to facilitate the voluntary adoption of eating and other nutrition-related behaviors conducive to health and well-being.**

- Nutrition education will be integrated across core content and specialized areas as appropriate.
- Professional development activities for nutrition education will be available to designated staff.
- The school cafeteria will serve as a learning opportunity to allow students to apply critical thinking skills taught in the classroom.
- Nutrition education will involve sharing information with families and the broader community to impact students and the health of the community positively.
- Students will be encouraged to start each day with a healthy breakfast.

### **Nutrition Guidelines for ALL Foods on Campus**

#### **School Meals Program**

The School Food and Nutrition Service Department is required to provide approved school lunches each day that school is in session. School meals shall meet nutrition standards established by the USDA. Students must be given adequate time to eat.

#### **Food Items**

Main course food items offered in elementary, middle, and high schools as an alternative to or in addition to the reimbursable meal will be offered in reasonable portion sizes that are consistent with guidance provided by USDA for Child Nutrition Programs. Packaged a la cart food will meet the minimum State standards.

## **Beverages**

The sale of beverages in school cafeterias during the school day is limited to the following:

- Water
- Flavored water
- Flavored and unflavored milk
- 100% fruit/vegetable juice
- Fruit vegetable juice beverages with at least 10% fruit/vegetable juice and 100% Vitamin C
- Iced tea
- Isotonic beverages (sport drinks)

## **School Activities Involving Foods and Beverages**

### **Food and Beverages:**

All foods made available to students in schools will comply with the current USDA Dietary Guidelines for Americans and federal, state, and local laws, including safety and sanitation standards set by the Health Department Hazard Analysis and Critical Point (HACCP) plans and guidelines. These guidelines include but are not limited to the following:

- a. School Meals Programs
- b. A la carte
- c. Beverages
- d. Students stores
- e. Special school-wide events

Nutrition information for products offered in a la carte and school stores is readily available near the point of purchase.

Schools are encouraged to consider wellness issues and student allergies when planning incentive or promotional activities and to promote healthy food and beverage choices at all events where foods and beverages are available to students.

Foods and beverages should not be offered as a reward to withhold as punishment.

Students must have access to water throughout the school day. The use of individual student water bottles is encouraged.

## **Safety and Security**

To help ensure the health and safety of the students in our schools the following procedures will be implemented:

- For the safety and security of the food and facility, access to the food service facilities is limited to Food and Nutrition Service Staff.
- Schools will provide students the opportunity to wash their hands before and after eating meals and snacks.

### **Physical Activity Goals**

**The primary goal of physical activity is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, regularly participate in physical activity, and understand the short and long-term benefits of a physically active and healthy lifestyle.**

- A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity should be included in a school's education program from grades pre-K through 12. Physical activity should include regular instructional physical education, co-curricular activities, and recess. Substituting any one of these components for, the other is not appropriate.
- The school will provide curriculum and instruction that is aligned with the MA Frameworks Comprehensive Health, Standard 2: Physical Activity.
- A daily recess period will be provided for grades K-6, which will not be denied as a consequence of behavior or for academic purposes.
- The school will provide a physical and social environment that encourages safe and enjoyable activity for all students, not limited by athletic ability.
- Information will be provided to families to help them incorporate physical activity into their children's lives.
- Schools are encouraged to provide community access to and encourage students and community members to use the school's physical activity facilities outside of the normal school day.

### **Monitoring and Evaluation**

#### **Monitoring**

The Superintendent or designee will ensure compliance with the Halifax Public Schools Wellness Policy. In each school, the Principal or designee will ensure compliance with the Wellness Policy and will report on the school's compliance to the school district superintendent or designee.

School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent, designee, or school principal. In addition, the school district will report on the most recent USDA School Meals Initiatives (SMI) review finding and any resulting changes.

The Superintendent or designee will develop a summary report every three years on compliance with the Wellness Policy based on input from the schools within the Region and the Union. That report will be provided to the school committees, parent/teacher organizations, school principals, and school health services personnel in the Region.

#### **Policy Review and Evaluation**

Every three years the Halifax School Department will conduct an assessment of the implementation of the standards in the wellness policy. The Halifax School Department will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.

## KINGSTON PUBLIC SCHOOLS - WELLNESS

### Overview Statement

Demonstrating commitment to the full development of our students, Kingston Public Schools endorses the following Wellness Policy. This policy shall define the goals and the means to further our students' understanding of the important role that good nutritional choices and physical activity will have on their lives. Central to this policy statement is the belief that success will be achieved from the combined efforts and encouragement of teachers, administrators, staff, and parents. We recognize wellness is a critical component that enhances a student's academic performance.

### Nutritional Goals

**The primary goal of nutrition education is to facilitate the voluntary adoption of eating and other nutrition-related behaviors conducive to health and well-being.**

- Students in Grades K-6 will receive nutrition information that teaches the skills needed to adopt healthy eating behaviors with the assistance from food service staff, administration, and staff..
- Schools link nutrition information within the Physical Education/Health program as outlined in the Massachusetts Comprehensive Health Curriculum Frameworks..
- Students will be encouraged to start each day with a healthy breakfast.

### Nutrition Guidelines for ALL Foods on Campus

#### School Meals Program

The School Food and Nutrition Service Department is required to provide approved school lunches each day that school is in session. School meals shall meet nutrition standards established by the USDA. Students must be given adequate time to eat.

#### Food Items

Main course food items offered in elementary, middle, and high schools as an alternative to or in addition to the reimbursable meal will be offered in reasonable portion sizes that are consistent with guidance provided by USDA for Child Nutrition Programs. Packaged a la cart food will meet the guidelines from the "A" list (Massachusetts Acceptable A La Carte Food & Beverage Standards).

#### Beverages

The sale of beverages in school cafeterias during the school day is limited to the following:

- Water
- Flavored and unflavored milk.
- Fruit juice beverages with at least 10% fruit juice

## **School Activities Involving Foods and Beverages**

### **I. Food and Beverages:**

All foods made available to students in schools will comply with the current USDA Dietary Guidelines for Americans and federal, state, and local laws, including safety and sanitation standards set by the Health Department Hazard Analysis and Critical Point (HACCP) plans and guidelines. These guidelines will be enforced during the school day. The guidelines include but are not limited to the following:

- a. School Meals Programs
- b. A la carte
- c. Beverages
- d. Classroom lessons
- e. Student rewards

### **II. Classroom Parties/Group Snacks**

- All snacks sent into the classroom for consumption must follow, as appropriate, the guidelines of the Kingston Public Schools Peanut-Free Zones.
- At any school function, healthy food choice options are strongly encouraged.
- Classroom parties for holidays and other special occasions should not include excessive dessert items. Excessive is defined as more than two. Alternative healthy food options are strongly encouraged, as well as non-food items such as pencils, stickers, etc.

### **III. Teacher to Student Incentives**

- Foods and beverages should not be offered as an incentive or withheld as a punishment.

### **IV. Fundraisers**

- All fundraising projects for sale and consumption within and prior to the instructional day are encouraged to follow the Mass Action for Healthy Kids Nutritional Standards when determining the items being sold.
- Organizations operating concessions at school functions should include healthy food choices in their offerings.

### **V. Safety and Security**

To help ensure the health and safety of the students in our schools the following procedures will be implemented:

- For the safety and security of the food and facility, access to the food service facilities is limited to Food and Nutrition Service Staff.
- Schools will provide students the opportunity to wash their hands before and after eating meals and snacks.

### **Physical Activity Goals**

**The primary goal of physical activity is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, regularly participate in physical activities, and understand the short and long-term benefits of a physically active and healthy lifestyle.**

- A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity will be included in the elementary and intermediate school's education program from grades K through 6. Physical activity should include regular instructional physical education for grades 1 through 6..
- The school will provide a physical and social environment that encourages safe and enjoyable activity for all students, not limited by athletic ability.
- Physical activity opportunities shall be offered daily during school (recess or physical education class).
- Kingston Public Schools support the idea of parents and guardians promoting their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.

### **Monitoring and Evaluation**

#### **Monitoring**

In each school, the Principal or designee will monitor compliance with the Wellness Policy.

#### **Policy Review and Evaluation**

Every three years the Kingston Public Schools will conduct an assessment of the implementation of the Wellness Policy. The Kingston Public Schools will review and make revisions, as necessary, and then develop a plan to facilitate their implementation. *These guidelines will take effect July 1, 2007 and will be implemented with the start of the school year August 2007.*

## PLYMPTON PUBLIC SCHOOLS - WELLNESS

### Overview Statement

Demonstrating commitment to the full development of our students, the Dennett Elementary School endorses the following Wellness Policy. This policy shall define the goals and the means to further our students' understanding of the important role that good nutritional choices and physical activity will have on their lives. Central to this policy statement is the belief that success will be achieved from the combined efforts and encouragement of teachers, administrators, staff, and parents. We recognize wellness is a critical component that enhances a student's academic performance.

### Nutritional Goals

**The primary goal of nutrition education is to facilitate the voluntary adoption of eating and other nutrition-related behaviors conducive to health and well-being.**

- Nutrition education will be integrated across core content and specialized areas as appropriate.
- Professional development activities for nutrition education will be available to designated staff.
- The school cafeteria will serve as a learning opportunity to allow students to apply critical thinking skills taught in the classroom.
- Nutrition education will involve sharing information with families and the broader community to impact students and the health of the community positively.
- Students will be encouraged to start each day with a healthy breakfast.

### Nutrition Guidelines for ALL Foods on Campus

#### School Meals Program

The School Food and Nutrition Service Department is required to provide approved school lunches each day that school is in session. School meals shall meet nutrition standards established by the USDA. Students must be given adequate time to eat.

#### Food Items

Main course food items offered in elementary, middle, and high schools as an alternative to or in addition to the reimbursable meal will be offered in reasonable portion sizes that are consistent with guidance provided by USDA for Child Nutrition Programs. Packaged a la cart food will meet the minimum State standards.

#### Beverages

The sale of beverages in school cafeterias during the school day is limited to the following:

- Water
- Flavored water
- Flavored and unflavored milk
- 100% fruit/vegetable juice

- Fruit vegetable juice beverages with at least 10% fruit/vegetable juice and 100% Vitamin C
- Iced tea
- Isotonic beverages (sport drinks)

### **School Activities Involving Foods and Beverages**

#### **Food and Beverages:**

All foods made available to students in schools will comply with the current USDA Dietary Guidelines for Americans and federal, state, and local laws, including safety and sanitation standards set by the Health Department Hazard Analysis and Critical Point (HACCP) plans and guidelines. These guidelines include but are not limited to the following:

- a. School Meals Programs
- b. A la carte
- c. Beverages

Schools are encouraged to consider wellness issues and student allergies when planning incentive or promotional activities and to promote healthy food and beverage choices at all events where foods and beverages are available to students.

Students must have access to water throughout the school day.

### **Safety and Security**

To help ensure the health and safety of the students in our schools the following procedures will be implemented:

- For the safety and security of the food and facility, access to the food service facilities is limited to Food and Nutrition Service Staff.
- Schools will provide students the opportunity to wash their hands before and after eating meals and snacks as deemed appropriate.

### **Physical Activity Goals**

**The primary goal of physical activity is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, regularly participate in physical activity, and understand the short and long-term benefits of a physically active and healthy lifestyle.**

- A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity should be included in a school's education program from grades pre-K through 12. Physical activity should include regular instructional physical education, and recess.
- The school will provide curriculum and instruction that is aligned with the MA Frameworks Comprehensive Health, Standard 2: Physical Activity.
- A daily recess period will be provided for grades K-6.
- The school will provide a physical and social environment that encourages safe and enjoyable activity for all students, not limited by athletic ability.

- Information will be provided to families to help them incorporate physical activity into their children's lives.
- Schools are encouraged to provide community access to and encourage students and community members to use the school's physical activity facilities outside of the normal school day.

### **Monitoring and Evaluation**

#### **Monitoring**

The Superintendent or designee will ensure compliance with the Dennett Elementary School Wellness Policy. In each school, the Principal or designee will ensure compliance with the Wellness Policy and will report on the school's compliance to the school district superintendent or designee.

School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent, designee, or school principal.

The Superintendent or designee will develop a summary report every three years on compliance with the Wellness Policy based on input from Dennett Elementary School. That report will be provided to the Dennett Elementary School Committee, parent/teacher organization, school principal, and school health services personnel.

#### **Policy Review and Evaluation**

Every three years each school in the Dennett Elementary School will conduct an assessment of the implementation of the standards in the wellness policy. The Plympton School Department will, as necessary, revise the wellness policies and develop work plans to facilitate their implementation.