

LEXINGTON SCHOOL COMMITTEE MEETING
Tuesday, June 17, 2014
Lexington Town Office Building, Selectmen's Meeting Room
1625 Massachusetts Avenue

7:30 p.m. Call to Order and Welcome:

Public Comment – (Written comments to be presented to the School Committee; oral presentations not to exceed three minutes.)

7:35 p.m. Superintendent's Announcements:

7:40 p.m. School Committee Member Announcements:

7:50 p.m. Agenda:

1. Estabrook Traffic Plan (30 minutes)
2. Recommendation for 2014-2015 Statewide Testing (10 minutes)
3. New Changes to the Student Discipline and Attendance Laws – Chapter 222 (30 minutes)
4. Fingerprinting Policy (20 minutes)
5. Traffic Safety and Mitigation Policy – Third Reading (15 minutes)
6. Reforming the School Committee Policy Subcommittee (20 minutes)

Consent Agenda (5 minutes):

1. School Committee Member Liaison Report – Curriculum Work Group

10:00 p.m. Adjourn:

The next meeting of the School Committee is a School Committee retreat and is scheduled for Monday, June 30, 2014, at 6:00 p.m. in the School Administration Building, Central Office Upper Level Conference Room, 146 Maple Street.

All agenda items and the order of items are approximate and subject to change.



Estabrook School Access Ad Hoc Task Force (ETF)

UPDATE



Task Force Membership

- Michelle Ciccolo, Chair
- Christian Boutwell
- Jim Brown
- Judy Crocker
- Peter Johnson
- Richard Larrabee
- Ed Loturco
- Ben Moroze
- Harold Payson
- Tom Peterson

Liaisons:

- Deb Mauger
- MaryAnn Stewart

Public Safety:

- Police Chief-Mark Corr
- Interim Fire Chief -
Keith Hoyle
- Public Works Director -
Bill Hadley



Key Staff Participants:

- School Principal - Sandra Trach
- Facilities Director - Pat Goddard
- Town Engineer - John Livsey
- Administrative Assistance – Lisa Rozzi



ETF CHARGE:

To advise the School Committee and Board of Selectmen on providing:

- **Safe access during construction of the new Estabrook School** by the vehicular traffic of parents, faculty and construction vehicles, including pedestrians;
- **Safe access for public safety** (police and fire department) purposes after the new school is constructed and in use; and
- Access necessary for **safe access by students who walk to the school, school buses and parents/guardians** dropping off or picking up students.



Guiding Concepts:

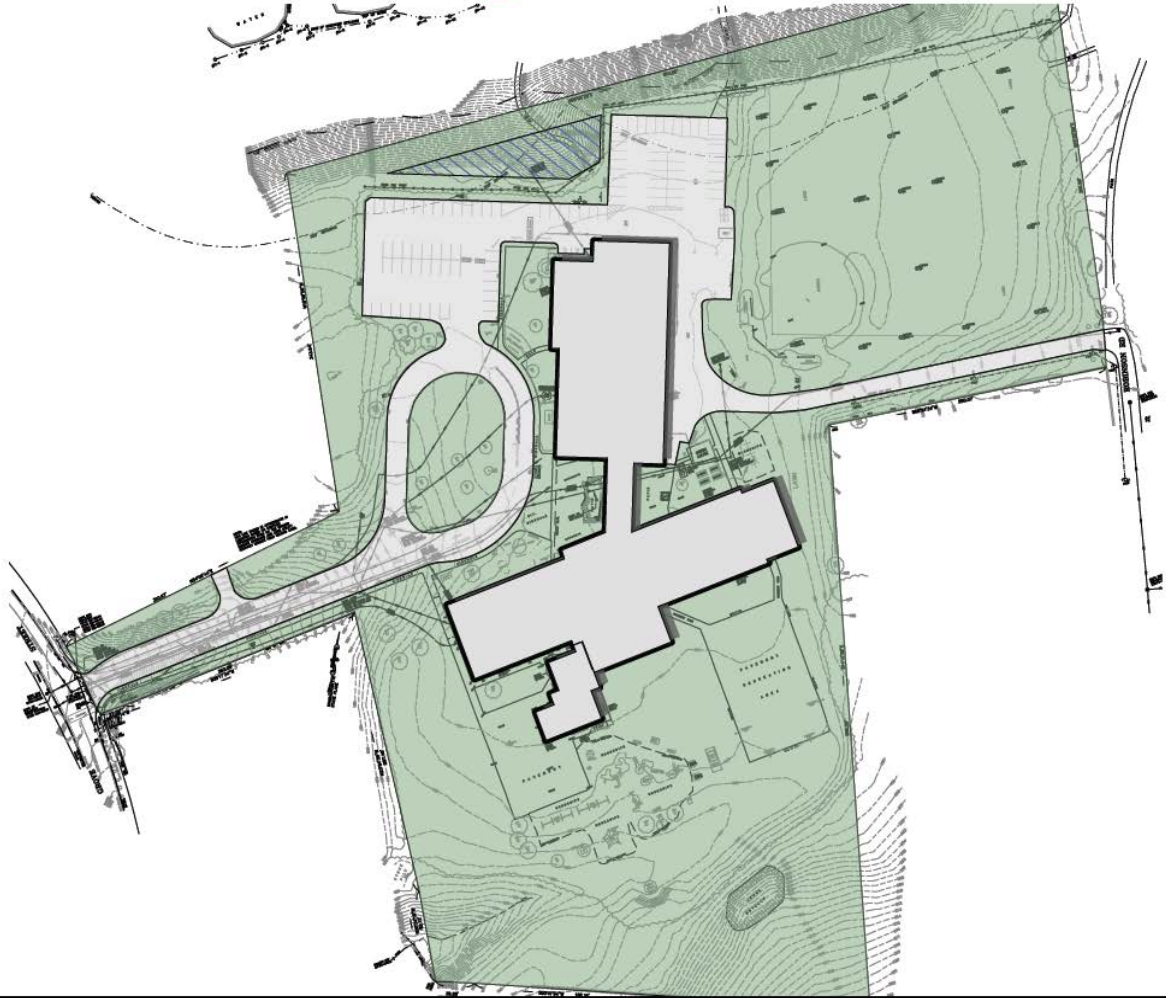
- Maximize safety for students & others accessing site
- Allow for adequate public safety response
- Allow construction to proceed on schedule
- Seek plans that improve safety & efficiency of processing student pick ups and drop offs
- Minimize cost to the town for implementing any solutions
- Minimize negative environmental outcomes
- Minimize impacts to residential neighbors
- Minimize neighborhood disruption during peak times
- Attempt to find solutions that do not merely transfer the problem or burden from one location to another



Process

- TM Authorized funding to explore options
- DPW / ETF hired Beta Group, Inc. to do a traffic study & evaluate access options
- 6 concepts examined
- Public charette held & 11 public meetings overall

Estabrook - Existing

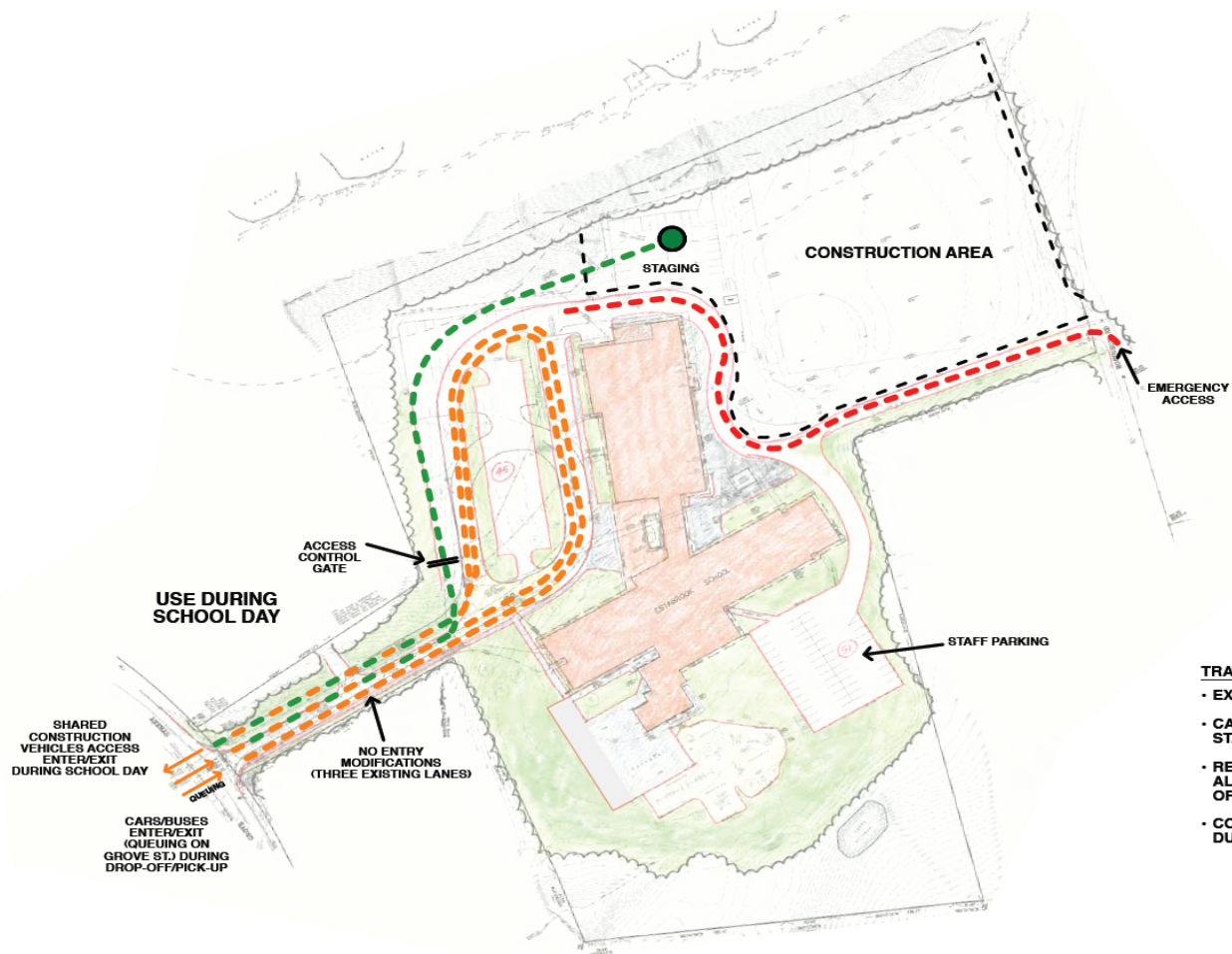




Problems Identified:

- Vehicle queuing & traffic congestion at the school entrance
- Inadequate public safety access
- Poor pedestrian access
- Parking spilling over onto private streets causing hazardous conditions on nearby roads





- TRAFFIC ACCESS SUMMARY**
- EXISTING ENTRY REMAINS UNCHANGED
 - CARS / BUSES ENTER / EXIT OFF OF GROVE ST. WITH QUEUING ALONG GROVE ST.
 - RESTRICTED CONTRACTOR ACCESS - NOT ALLOWED TO ENTER / EXIT DURING DROP-OFF / PICK-UP
 - CONTRACTOR SHARES ENTER / EXIT LANES DURING SCHOOL DAY

Construction Access - Option 5A (Recommended - Modified Option)

ESTABROOK ELEMENTARY SCHOOL
Lexington, MA



01 November 2011

DiNisco Design Partnership
architects and planners



Main Access:

Task Force recommended :

- *Grove Street remain the primary access*
- *with Robinson Road being the secondary access*



Why Grove St. should be main

- Sight lines are better at Grove & Access Road than at Robinson & Grove St.
- Grove Street is more direct and can accommodate more vehicular volume
- Robinson Road has a 90 degree turn which would be difficult for vehicles to navigate
- Accessing the school from Grove Street will allow for a longer internal vehicular queue which helps to resolve a major safety concern





ETF Recommendations:

- **Eliminate queuing on all public streets**
- **Upgrade Robinson Rd. to a minimum of 18 feet**
- **Install a sidewalk the length of Robinson Rd. to Grove St.**
- **Provide turn around area at end of Robinson**
- **Improve corner of Robinson Road at Turning Mill Road**
- **Improve the Robinson Road and Grove Street intersection**
- **Improve site lines on Grove Street by the school entrance**

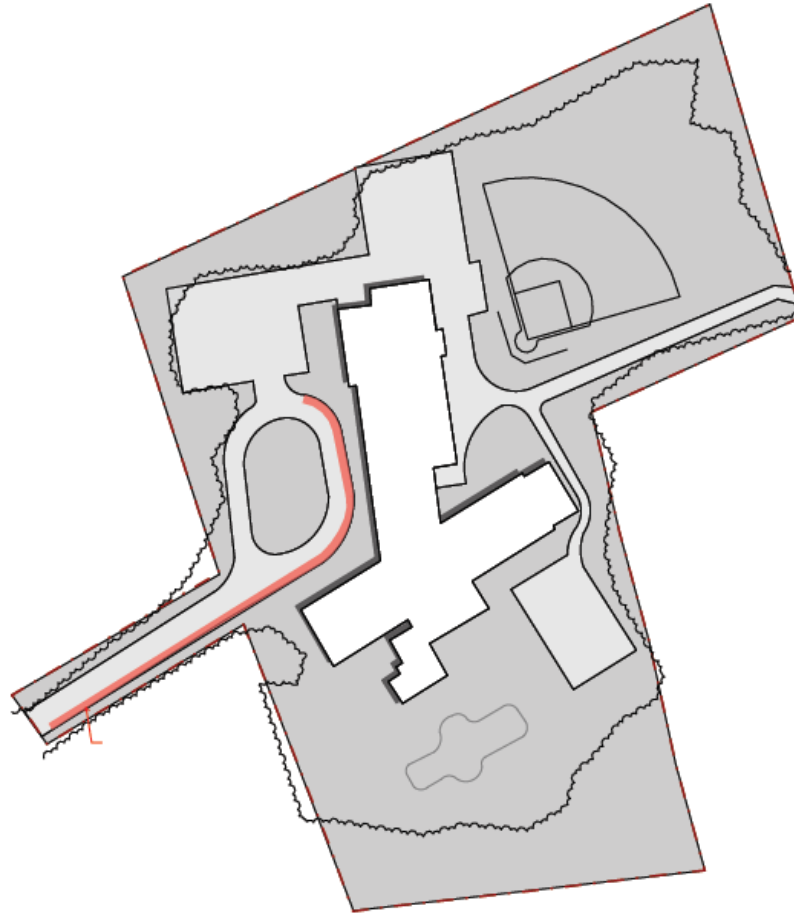


Further Recommendations:

- In lieu of further aggressive & costly off-site improvements –

Community should work towards modifying behavior & improving procedural methods for arrival & dismissal

Queuing - Existing Conditions



QUEUING

EXISTING

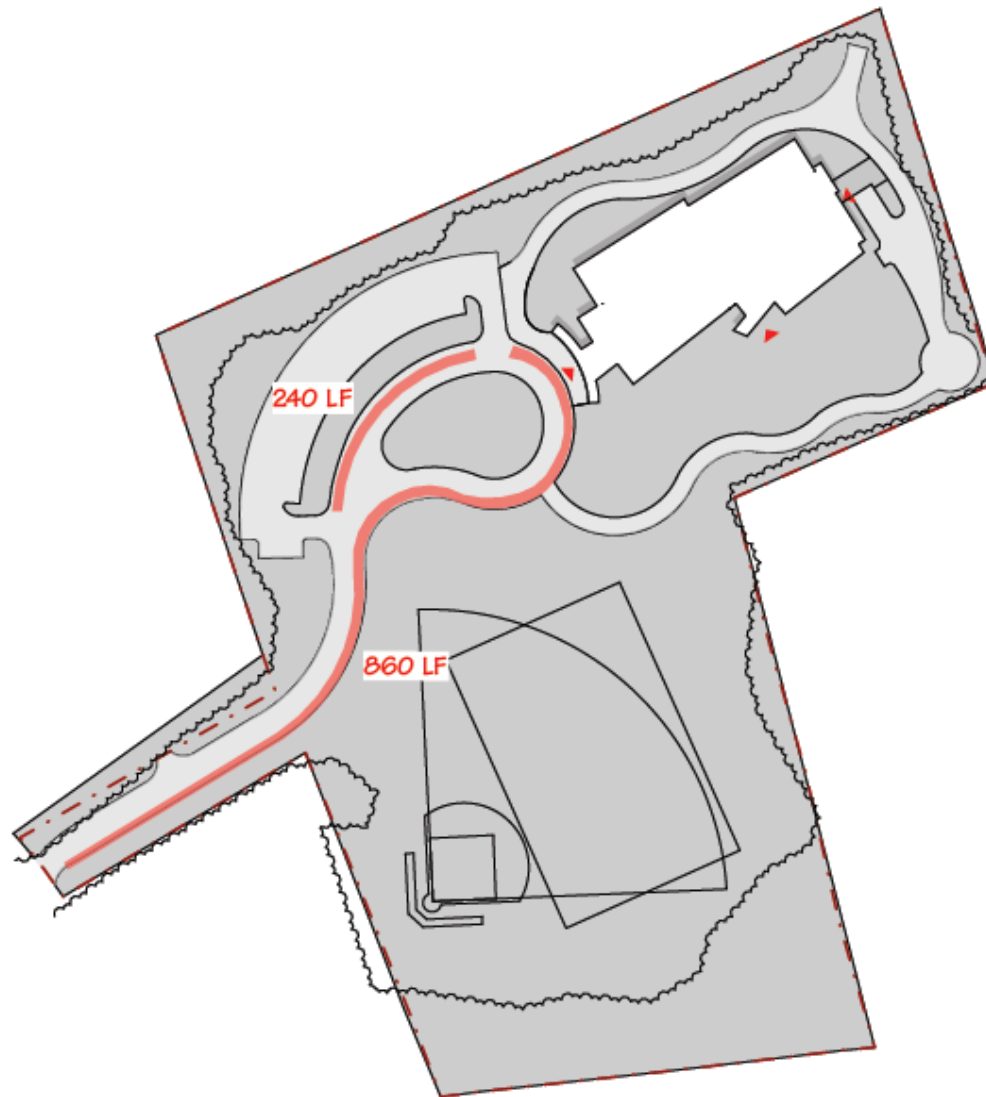
480 LF



Existing Queue

- Approximately 1,000 feet
- Projected Queue = 1,400 feet

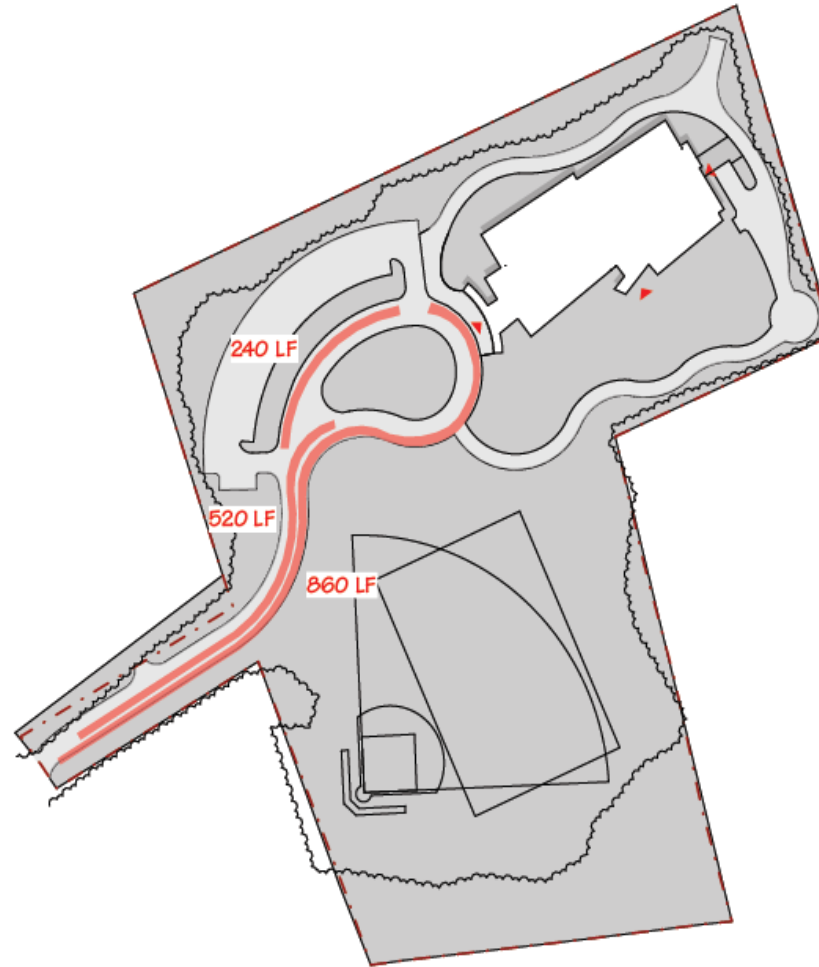
Single Queue Lane Capacity:



QUEUING

EXISTING	480 LF
ADDITIONAL	1,100 LF

Queuing Plan - Flexibility if Required



QUEUING

EXISTING 480 LF
FLEXIBILITY 1,620 LF



Queue Conclusions:

- New site will be able to accommodate existing queue
- New site will have added queue capacity for school if at full occupancy



Final Thoughts:

- School site design should meet ETF Objectives
- Town & Schools should work towards more bussing, walking, biking and car pooling
- Town should work closely with neighborhoods on Grove & Robinson on design of off site improvements

Estabrook School Traffic Plan 2014-2015

Sandra A. Trach, Estabrook School Principal
Mark Corr, Chief of Police

June 17, 2014

Estabrook School Access Ad Hoc Task Force (ETF)

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- **Safe access during construction of the new Estabrook School** by the vehicular traffic of parents, faculty and construction vehicles, including pedestrians;
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- Access necessary for **safe access by students who walk to the school, and by parents/guardians who use school buses** to drop off or pick up students.

Problems identified

- Vehicle queuing & traffic congestion at the school entrance
- Inadequate public safety access
- Poor pedestrian access
- Parking spilling over onto private streets causing hazardous conditions on nearby roads

Main access

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ETF recommendations

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Final thoughts from ETF

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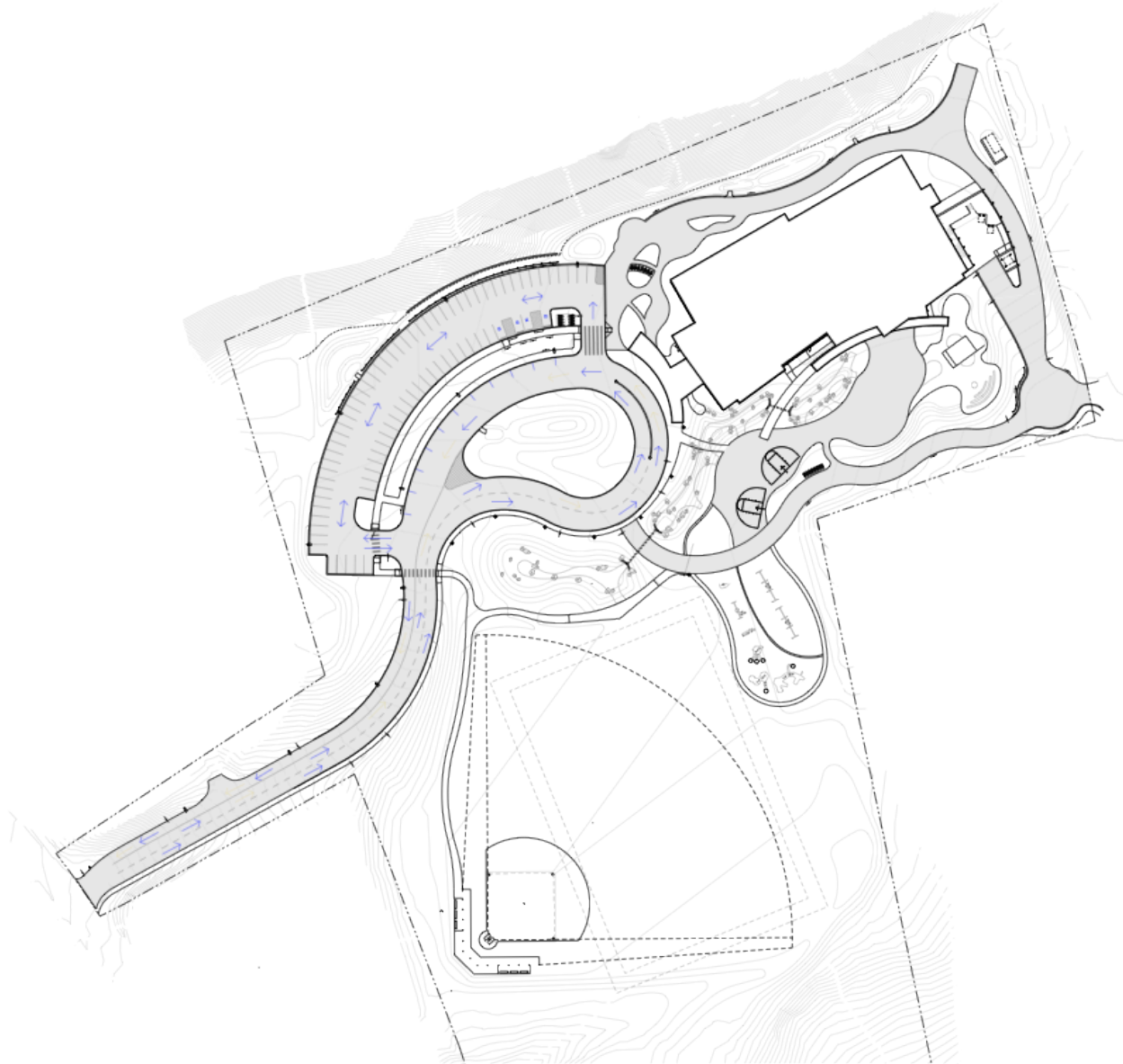
New traffic design

- Longer queue
- Flexible design
- Collaborative approach to implementation
- Continued study in the fall
- Ongoing education

ESTABROOK
ELEMENTARY
SCHOOL

Lexington, MA

**Proposed Traffic
Signage**



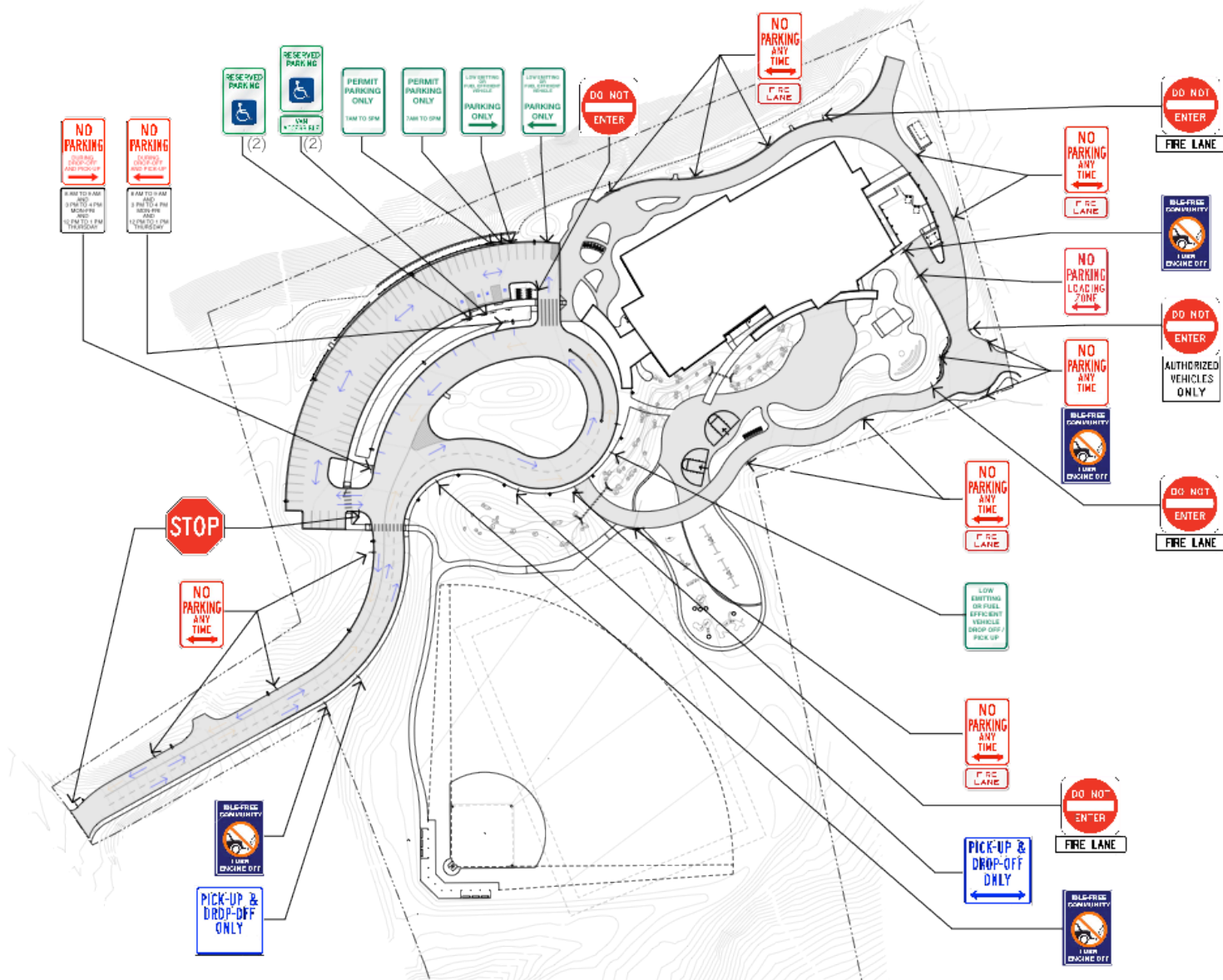
03 June 2014

DiNisco Design Partnership
Limited
architects and planners

ESTABROOK
ELEMENTARY
SCHOOL

Lexington, MA

**Proposed Traffic
Signage**



10 June 2014

DiNisco Design Partnership
architects and planners

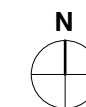
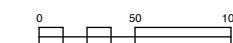
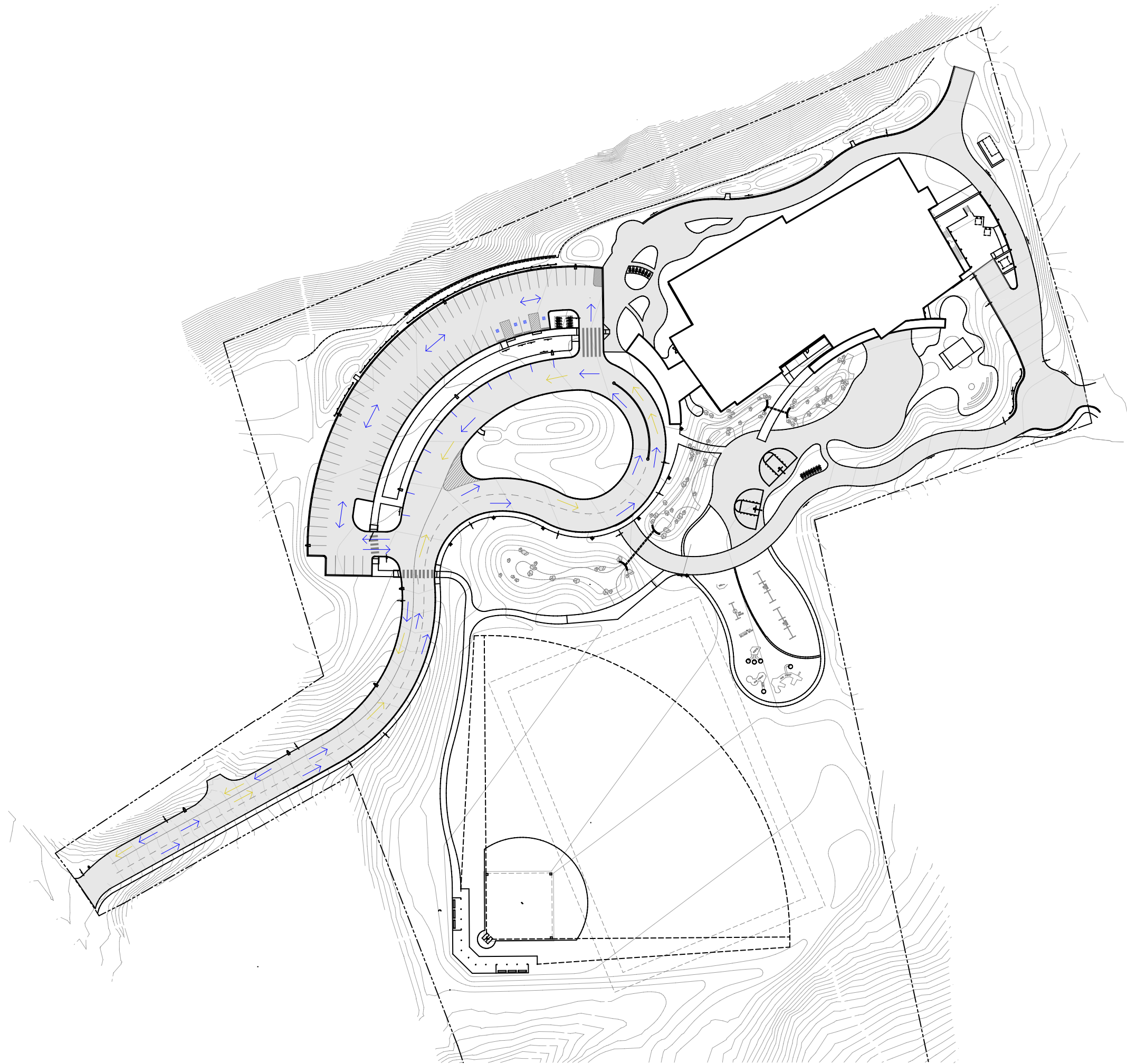
Ongoing education

- Principal Coffee regarding traffic on April 9, 2014
- Community Letter from Principal Trach and Chief Corr on May 14, 2014
- Estabrook Newsletter May 14, 2014
- Principal Trach and Chief Corr held an Estabrook parent meeting on Monday, May 19, 2014
- August 2014 informational packet - arrival, dismissal, Safe Routes to School and parking procedures will be mailed to each household
- Fall 2014 principal coffees, PTA meetings, newsletters, community mailings
- PTA sponsored “Make Just One Change” campaign

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SCHOOL

Lexington, MA

**Proposed Traffic
Signage**

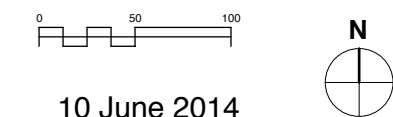
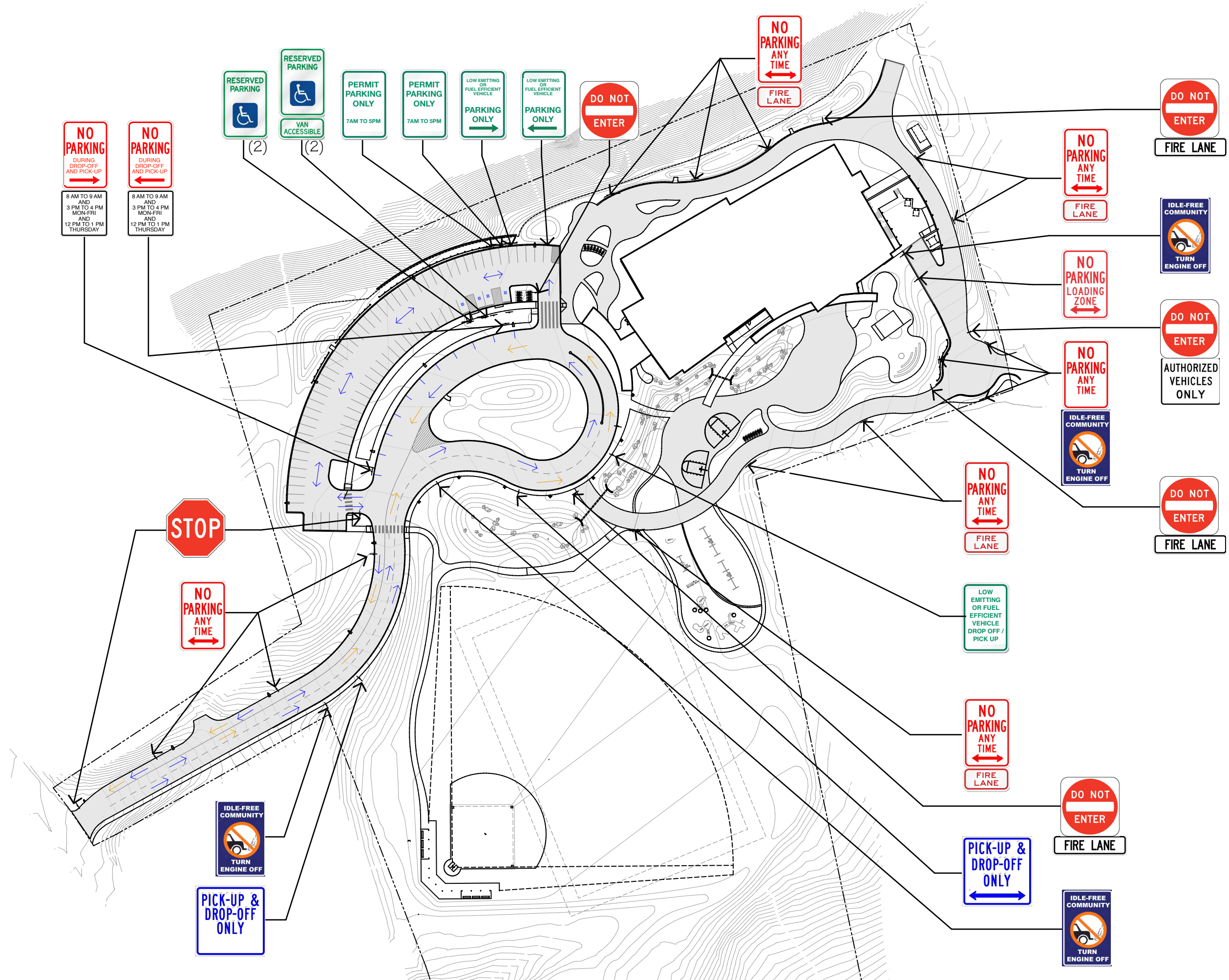


03 June 2014

ESTABROOK
ELEMENTARY
SCHOOL

Lexington, MA

Proposed Traffic
Signage



10 June 2014



Lexington Public Schools

146 Maple Street ♦ Lexington, Massachusetts 02420

Paul B. Ash, Ph.D.
Superintendent of Schools

(781) 861-2550, ext. 212
email: pash@sch.ci.lexington.ma.us
fax: (781) 863-5829

To: School Committee
From: Paul B. Ash, Ph.D.
Superintendent of Schools
Re: Statewide Testing in 2014-2015
Date: June 13, 2014

As you are aware, the Massachusetts Department of Elementary and Secondary Education (DESE) has indicated that school districts have a choice to administer either MCAS or PARCC tests in the spring of 2015. Specifically, superintendents are asked to supply answers to the following four questions:

- (1) Will your district administer MCAS or PARCC tests in spring 2015 in grades 3-8 in ELA and Mathematics?
- (2) If your district chooses to administer the PARCC tests, then will your district administer the computer-based and/or paper-based tests? If your district will administer some computer-based and some paper-based tests, what percent of students in your district will take the computer-based tests?
- (3) Will your district administer spring 2015 PARCC tests in ELA and Mathematics in grade 9 and/or 11, pending budget approval from DESE?
- (4) If your district chooses PARCC for schools with grade 8, how many 8th graders will be taking the Algebra I test instead of the grade 8 PARCC Mathematics test?

In order to provide a thoughtful response to the DESE, in Lexington we have collected feedback about the PARCC field test that was conducted here in April. I have also asked all principals, central office administrators and the Lexington Education Association (LEA) to recommend whether Lexington should administer the PARCC tests or MCAS tests in 2014-2015. Based on numerous conversations with administrators and the LEA, the administration and LEA unanimously recommends that Lexington only administer the MCAS tests next year.

I am making the following recommendations, regarding the four DESE questions above:

- (1) The Lexington Public Schools will administer MCAS tests in spring 2015 in grades 3-8 in ELA and Mathematics.
- (2) Not applicable
- (3) No
- (4) Not applicable

Our major reasons for recommending MCAS rather than PARCC at this time include the following:

- a) We have serious reservations that the new PARCC tests are ready for full implementation. For example, we are not confident that all test items will be reliable and valid by next year. When MCAS tests were first developed, there were numerous ways educators could review test questions and the focus of the tests to ensure they could adequately measure the state-wide curriculum. We do not feel there has been sufficient input from Massachusetts educators to ensure the PARCC tests are ready for wide usage.
- b) There is no guarantee that the Massachusetts Board of Elementary and Secondary Education (BESE) will adopt the PARCC tests for 2015-2016 and beyond. Therefore, if Lexington expends considerable resources next year training teachers and school leaders to administer the PARCC tests and then they are not adopted by the BESE, we will have lost considerable instructional time. The LEA and administration does not want to follow one more state initiative that may have no benefit for our students and will move us away from spending our time on programs that will have far greater educational impact for our students.
- c) Although our Technology Department and other professional staff members did outstanding work in getting schools ready for taking the computer-based PARCC field test, there were far too many problems. It is our judgment that the State is not ready to implement the technology-based PARCC tests. In addition, if we implement PARCC computer tests next year, we would need to reallocate computers in regular classrooms due to the limited number of computers in our schools for a minimum of three weeks.
- d) The current PARCC is a work-in-progress and we hope that once it, or something like it is fully developed, it will be a superior instrument compared to the MCAS. For the time being, however, with all that is going on in Lexington, along with all of the feedback that we have received, we believe it is prudent to hold off on instituting PARCC in Lexington for at least another year.

New Changes to the Student Discipline and Attendance Laws Chapter 222 of 2012



JUNE 17, 2014

Overview of Chapter 222



Ensure Ongoing Educational Services:

- Student is entitled to continuing education services, regardless of the offense
- Student has opportunity to make up academic progress, make up assignments, and earned credits missed, including, but not limited to, homework, quizzes, exams, papers, and projects missed (suspensions of any length)
- Student has the right to alternative education (if suspension is over 10 consecutive days)

Overview of Chapter 222



Alternatives to Suspensions:

- When a student is charged with violating the code of conduct, the school shall
 - Exercise discretion
 - Consider other ways to reengage the student in the learning process

Overview of Chapter 222



Alternatives to Suspensions:

- Examples:
 - Positive Behavior Interventions and Supports (PBIS)
 - Tiered interventions and supports
 - Restorative justice practices
 - Other school-based or district-based alternatives

Overview of Chapter 222



Limitation on Suspensions:

- Student can only be suspended for non-serious offenses (i.e., offenses that do not involve weapons, illegal drugs, assault on school staff, and felony offenses) from any school or school district up to 90 school days

Overview of Chapter 222



Due Process:

- Suspensions of any duration
- Notice of charges and reason for suspension
- Meeting with principal, student, and parent to discuss charges and reason for suspension prior to suspension taking effect unless there is a safety concern (i.e., dangerousness or substantial disruption)

Overview of Chapter 222



Due Process:

- Superintendent Appeal for suspensions of more than 10 school days
 - Consecutively
 - Cumulatively in a school year
- Schools must provide written notice of the right to appeal and the appeals process

Overview of Chapter 222



Due Process:

- Superintendent Appeal

At hearing, student has a right to:

- Present oral and written testimony
 - Cross-examine witnesses
 - Right to counsel
- The decision of the superintendent is final for the school district

Changes in Discipline



Districts must:

- Offer continued educational services for students suspended or expelled
- Track specific reasons for discipline
- Ensure that principals exercise discretion and consider alternative ways to engage students
- Guarantee written notification prior to suspension
- Provide students / parents the opportunity to meet with the principal prior to suspension

Changes in Discipline



Districts must:

- Include parents in the initial suspension meeting held with the principal
- Document reasonable efforts to include parents
- Inform students of the right to appeal to the superintendent for a long-term suspension (10 or more days)
- Ensure principals notify the superintendent in writing prior to the suspension of a child in grades K – 3

Changes in Discipline



Districts must:

- Ensure that students suspended for 10 days or less (short-term suspension) will have the opportunity to make academic progress
- Develop an educational service plan for students on long-term suspension (more than 10 days), such as
 - Tutoring
 - Virtual learning
 - Alternative placement

Changes in Student Absences



- Schools must have a parent notification program for absences within 3 days, if the school has not received any parent notification of the absence by the parent
- School Committee must have a policy notifying parents of a student who has at least 5 days in which the student missed 2 or more classes (unexcused) or who has 5 or more unexcused absences in the school year

Changes in Student Absences



- Principals must make a reasonable effort to meet with the parent to develop action steps for attendance
- Schools must provide notice to parents and students within 5 days of a the student's tenth consecutive day of absence (by day 15) of an opportunity to meet with the superintendent or designee to discuss withdrawal from school

Changes in Student Absences



- Notices must include the following:
 - Times / dates to meet
 - How to contact the school to set up the meeting
- Meetings must occur within 10 days of sending the notice

What Has Been Done So Far?



Chapter 222 Committee Met to:

- Define consistent discipline processes K-12 using a checklist (under review)
- Revise all LPS handbooks for discipline
- Create consistent district-wide conduct entry protocol using Aspen
- Create consistent district-wide notification forms
- Determine options for alternative educational services (i.e. tutoring, EDCO programs, virtual programs)

What Will Happen Next?

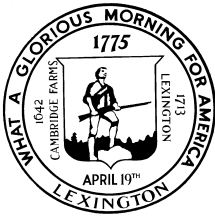


- Revise all LPS handbooks for attendance policies
- Plan both parent and student education programs
- Further develop consistent system-wide notification letters and procedures

What Will Happen Next?



- Continue to identify and implement alternative education services
- Revise School Committee policy to ensure the policy meets the requirements of G.L. c.71, §37H³/₄, G.L. c. 76, §21, and 603 CMR 53.00



Lexington Public Schools

146 Maple Street ♦ Lexington, Massachusetts 02420

Paul B. Ash, Ph.D.
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fax: (781) 863-5829

To: School Committee
From: Paul B. Ash, Ph.D.
Superintendent of Schools
Re: Recommended Fingerprinting Policy
Date: June 13, 2014

This morning, I met with Judy Crocker and Jessie Steigerwald to discuss the attached new policy on fingerprinting. Please carefully read the attached recommended policy since you will need to vote this policy Tuesday evening. The new requires all school districts to have a fingerprinting policy in place for the 2014-2015 school year.

I need to bring to your attention that I may be asking you to rescind, revise or replace the fingerprinting policy later this summer or early next fall. At this morning's meeting, Judy, Jessie and I looked at two documents: the MASC recommended policy that combines both the CORI policy and fingerprinting policy into one document, and our legal counsel's policy on fingerprinting that is a stand-alone document. For now, it would be easier for the School Committee to keep our current CORI policy in place and vote to add a new fingerprinting policy. By the end of the summer/early fall, the proposed School Committee policy subcommittee and I may recommend that the full School Committee vote to replace both the current CORI policy and the new fingerprinting policy with a combined policy.

If you have questions, please call or email me.

Policy Governing Fingerprint-Based Criminal History Record Information (CHRI) Checks Made for Non-Criminal Justice Purposes

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 by the Superintendent or designee.

I. Requesting Criminal History Record Information (CHRI) checks

Fingerprint-based CHRI checks will only be conducted as authorized by M.G.L. c. 71, §38R and 42 U.S.C. § 16962, in accordance with all applicable state and federal rules and regulations, and in compliance with M.G.L. c. 6, §§ 167-178 and 803 CMR §§ 2.00, *et seq.* If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment [e.g., IdentoGO web site address, Provider Identification Number (Provider ID)].

The Superintendent, Principal or their certified designees shall obtain all CHRI information from the Department of Criminal Justice Information Services (“DCJIS”) on all current employees and prospective individuals who may have direct and unmonitored contact with students,¹ which includes, but not limited to, the following:

- employees and applicants for employment, including promotions;
- volunteers and interns;
- student teachers;
- individuals who regularly provide school related transportation to children;
- subcontractors or laborers commissioned by Lexington Public Schools or employed by the town to perform work on school grounds or with students; or
- any other individuals who may have direct and unmonitored contact with students.

All individuals listed above, except volunteers, subcontractors or laborers, are required by law to submit to fingerprint based state and national criminal history record check. Lexington Public Schools, in its discretion, may require volunteers, subcontractors or laborers to submit to fingerprint based state and national criminal history record checks.

¹ Direct and unmonitored contact with children is defined as contact with students when no other employee for whom the school/district has made a suitability determination is present. “Contact” refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

II. Access to CHRI

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with any unauthorized entity for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Title 28, U.S.C, § 534, Pub. L. 92-544 and Title 28 C.F.R. 20.33(b) provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

III. 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 DCJIS 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.

IV. 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 separate, secured, locked locations in the Office of Human Resources.

When no longer needed, CHRI and any summary of CHRI data must be destroyed by the Superintendent or designee 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 Lexington Public Schools.

V. CHRI Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the Lexington Public Schools will review and become familiar with the educational and relevant training materials regarding Statewide Applicant Fingerprint Identification Services (SAFIS) and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

VI. Determining Suitability

A. Use of Criminal History in Background Screening.

Information from CHRI records used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied and for current employees during periodic criminal background checks.

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

B. Verifying a Subject's Identity.

If a criminal record is received from DCJIS, the information must be closely compared with the information on an acknowledgement form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CHRI 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 CHRI record and documents provided by the applicant.

C. Inquiring About Criminal History.

In connection with any decision regarding employment, internships or volunteer opportunities within Lexington Public Schools, the individual shall be provided with a copy of his/her criminal history record, whether obtained from DCJIS or from any other sources, prior to questioning the individual about his/her criminal history. The source(s) of the criminal history record is also to be disclosed to the individual.

D. Determining Suitability.

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

- Relevance of the record to the position sought;
- The nature of the position or work to be performed;
- Time that has passed since the [offense,] conviction and/or completion of the sentence;
- Age of the applicant at the time of the offense;
- Seriousness and specific circumstances of the offense;

- The number of offenses;
- Whether the applicant has pending charges;
- any relevant evidence of rehabilitation or lack thereof; and
- any other relevant information, including information submitted by the applicant or requested by the organization.

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

A record of the suitability determination must be retained for the period of the employee's employment or for seven (7) years, whichever is longer. 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 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 Lexington Public Schools conducted a suitability determination.

VII. Relying on Previous Suitability Determination.

Under certain circumstances, consistent with 603 CMR 51.06, the Lexington Public Schools may rely on a suitability determination made by another school employer or DESE, if the following factors are met:

- Suitability determination was made within the last seven (7) years; and
- The applicant has not resided outside Massachusetts for any period longer than three (3) years since the suitability determination; and
- either (i) the individual has been continuously employed for one or more school employers or has gaps totaling no more than 2 years in his/her employment for school employers; or (ii) if the individual works as a substitute employee, the individual is still deemed suitable for employment by the school employer who made the favorable suitability determination.

Upon request of another school employer or the individual for whom the Lexington Public Schools conducted the suitability determination, Lexington Public Schools shall provide documentation of the suitability determination.

VIII. Adverse Decisions Based on CHRI

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

- Provide the individual with a copy of his/her CHRI used in making the adverse decision;
- Provide the individual with a copy of this CHRI Policy;
- Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI; and
- Provide the individual with information on the process for updating, changing, or correcting CHRI.

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

IX. Secondary Dissemination of CHRI

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI.

The following information will be recorded in the log:

1. Subject Name;
2. Subject Date of Birth;
3. Date and Time of the dissemination;
4. Name of the individual to whom the information was provided;
5. Name of the agency for which the requestor works;
6. Contact information for the requestor; and
7. The specific reason for the request.

X. Reporting to Commissioner of Elementary and Secondary Education

Pursuant to M.G.L. ch 71, § 71R and 603 CMR 51.07, if Lexington Public Schools 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, Lexington Public Schools 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 check results. Lexington Public Schools shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(1) to the Commissioner.

Pursuant to M.G.L. ch 71, § 71R and 603 CMR 51.07, if the Lexington Public Schools discovers information from a state or national criminal record check about a licensed educator or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to 603 CMR 7.15(8)(a), Lexington Public Schools shall report to the Commissioner in writing within 30 days of the discovery, regardless of

whether Lexington Public Schools retains or hires the educator as an employee. The report must include a copy of the criminal record check results. The school employer shall notify the employee or applicant that it has made a report pursuant to 603 CMR 51.07(2) to the Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

1 **LEXINGTON SCHOOL COMMITTEE POLICY**

2
3 **TRAFFIC SAFETY & MITIGATION**

First Reading: April 29, 2014

Second Reading: June 10, 2014

**Date Approved by
School Committee:** _____

Signature of Chair: _____

Page 1 of 5

12
13 **I. PURPOSE/POLICY:**

14 The School Committee and administration strive to ensure overall safety of students, employees,
15 and community members while on school property. The School Committee encourages walking,
16 bicycling, school bus, car pool, and other means of mass transit to access school property. In
17 addition, the School Committee is aware of and understands that traffic conditions on school
18 property and subsequently residential streets abutting school property affect the neighborhoods'
19 livability.

20
21 The goal of the School Committee Traffic Safety and Mitigation Policy is to improve safety by
22 affecting driver behavior and the quality of life for residents, pedestrians, bicyclists, and motorists.
23 In addition, it is to ensure that school traffic plans do not hinder quick response time for
24 emergency service vehicles including fire trucks, police cars, ambulances, and large vehicles such
25 as school buses and trucks used for providing essential municipal, school, and resident services.

26
27 The School Committee is responsible for traffic safety and mitigation on school property.
28 Principals are responsible for following School Committee policy and for the safe and proper
29 transfer of students to/from home. The principal's jurisdiction is the management and operations of
30 school grounds and school owned/contracted vehicles. Visitors, parents, guardians, and designated
31 care-givers are responsible for following all posted policies, regulations and guidelines for traffic
32 safety and mitigation on and around school property.

33
34 Traffic safety and mitigation improvement can be achieved through education, enforcement, and
35 engineered traffic calming programs. Traffic calming is defined as a combination of mainly
36 physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and
37 improve conditions for non-motorized street users.

38
39 **II. SCOPE OF RESPONSIBILITY:**

40 The superintendent will monitor the implementation of the policy and provide support to principals
41 and the transportation coordinator who are responsible for implementing the policy and
42 establishing student to parent transfer procedures for the school buildings. Traffic plans, signage,
43 and direction are part of this policy and must follow Manual on Uniform Traffic Control Devices
44 (MUTCD) standards. The School Superintendent or designee is appointed to the Traffic Safety
45 Advisory Committee.

46

1 Any changes to posted traffic plans for each school building must be reviewed by the Traffic
2 Safety Advisory Committee before being approved by the School Committee and implemented by
3 the building principal.
4

5 III. ADMINISTRATION

6
7 The following shall be enforceable at all times, but with diligence during school hours,
8 commencing 7:00 a.m.-6:00 p.m. on days Lexington Public Schools is in session, including
9 summer school programs:
10

- 11 1. Traffic and parking regulations promulgated by the Commonwealth of Massachusetts and
12 the Town of Lexington must be followed and are enforceable by the Lexington Police
13 Department on school property. *This will apply to all modes of transportation (e.g.,
14 vehicle or bicycle).*
- 15
16 2. All school traffic plans shall use the Lexington Public Schools Standard Signage and
17 Pavement Markings Guide and shall be MUTCD compliant.¹
18
- 19 3. Violations of traffic regulations or safety and mitigation policies may be subject to fines
20 and other penalties permitted by law.
21
- 22 4. School traffic plans, policies, and guidance will be posted on the district web site for each
23 school location and reviewed annually by the principal and the school department's
24 liaison to the Traffic Safety Advisory Committee.
25
- 26 5. School hours will be posted on district calendars and web sites.
27
- 28 6. Instructions given by school designated traffic personnel must be followed. School
29 traffic personnel are identified as any individual wearing a garment that meets the
30 requirements of ANSI 107 (OSHA) and using hand-signaling devices, such as
31 STOP/SLOW paddles, to control traffic through specified temporary traffic control
32 zones.
33

34 The following actions are prohibited:

- 35
36 • Parking, standing, or waiting to drop off or pick up students in designated bus lanes.
37
- 38 • Domesticated animals on school property under town by-law § 187-96 during arrival and
39 dismissal and unrestrained animals at any time on school property. All owners are
40 responsible for cleaning up after their animals if they are brought on school property.
41
- 42 • Jaywalking. Use all painted crosswalks for crossing driveways and in parking lots.
43 Avoid illegal or reckless pedestrian crossing of a roadway or driveway.
44
- 45 • Exiting a vehicle in a non-curbside lane (driver's side).
46
- 47 • U-turns on school property.

¹ <http://mutcd.fhwa.dot.gov/>

- 1
- 2 • Double-parking.
- 3
- 4 • Blocking an intersection in a neighborhood or on school property.
- 5
- 6 • Dropping off or picking up passengers in a driveway or traffic lane.
- 7
- 8 • Horn honking, except as a warning of imminent danger.
- 9

10 In an effort to support safe arrival and dismissal of all students and employees, the principal
11 may:

- 12
- 13 • Require submission of license plate numbers upon request for all vehicles driven by
14 visitors, parents, employees, students, and family-designated drivers;
- 15
- 16 • Use license plate information to grant permission and privileges, provide notice or
17 educational material, or assess authorized fines, penalties, to owners and operators;
- 18
- 19 • Assign parking spaces for employees; (Visitor and handicap parking will be designated
20 on the posted plan for the school.)
- 21
- 22 • Remove illegally parked vehicles or other obstructions from traffic flow areas and
23 invoice the owner of the vehicle or obstruction for the removal cost;
- 24
- 25 • Restrict cars from standing, parking, or idling in the pick-up zone prior to the designated
26 time;
- 27
- 28 • Require use of placard or other signs to identify vehicles picking up students in
29 designated vehicle lanes;
- 30
- 31 • Establish written transfer procedures for a child from the school house to the parent or
32 other authorized designee;
- 33
- 34 • Restrict students from being loaded into vehicles in undesignated areas;
- 35
- 36 • Discourage the use of cell phones in the drop-off or pick-up lane/zone; (All drivers,
37 regardless of age or license status, are banned from texting while behind the wheel.²)
- 38
- 39 • Remove privileges of parents to pick up their student should the owner/operator behavior
40 be deemed unsafe to other motorists, employees, or students.
- 41

42 **Legal Reference:**

- 43
- 44 1. Manual on Uniform Traffic Control Devices (MUTCD) – FHWA;
- 45 a. State Supplement: Massachusetts Amendments to the 2009 MUTCD (January 2012) (PDF,
46 1.9MB);

² <http://www.dmv.org/ma-massachusetts/safety-laws.php#Cell-Phones-and-Texting>

- 1 b. State Traffic Control Detailed Drawings, Policies, Design Manuals: Massachusetts DOT
- 2 Highway Division Manuals
- 3 2. No Idling:
- 4 a. 540 CMR: REGISTRY OF MOTOR VEHICLES (Chapter 386 of the Acts of 2008)
- 5 b. Town By-Laws: § Chapter 46. Engine Operation Of Stopped Vehicles
- 6 3. Animals on School Grounds: Town By-Laws: §187-96 Prohibited activities, Clause L.
- 7 4. Restraint of dogs required; licenses: Town By-Laws: §9-2.
- 8 5. Parking: Town By-Laws: § 135-5.0, General Regulations, 5.1, Off-Street Parking and Loading.

6.13.14 Memo for School Committee regarding Policy Subcommittee

Dear Colleagues,

Why are we being asked to take action on the Policy Subcommittee at this time?

The original charge for the group we now call our “Policy Subcommittee” can’t be located by either the Superintendent’s office or the Town Clerk’s office. As a housekeeping matter, we need to be able to locate our charge and it should be posted where the public can readily see it. Until we take these action steps, we are not able to provide this transparency. Further, if anyone challenged the work of the Policy Subcommittee, we can’t refer back to the charge for clarification.

What are we being asked to do on Tuesday night?

We are asked to take three action steps Tuesday night as a matter of housekeeping.

1. Disband the existing Policy Subcommittee
2. Approve the charge for a Policy Manual Subcommittee
3. Approve the charge for a Policy Advisory Committee

What will these changes do?

Taking these three actions will maintain the status quo with slight improvements to:

A - meet the Town Clerk’s request that we more accurately name the work we accomplish through Subcommittees and Committees

B - make it easier to complete the policy manual project within a time frame that is as close as we can get to the one MASC had originally contracted with us to do

C – shift the majority of work hours on the policy manual project to School Committee members, and to focus the volunteer hours of other community volunteers where their input is truly vital (on specific policies that benefit from broader discussion)

D – make it easier to comply with the Open Meeting Law.

Can we establish both a subcommittee and a committee? Can they both work on policy matters?

Yes, the School Committee can establish a Subcommittee (which includes only members of the School Committee) and it can also establish a Committee (which includes non-School Committee members). They can both work on policy matters. The charge clarifies the authority and contribution of each group. In this case, the Subcommittee might call upon the Committee for advice.

Do any of these actions change the authority of the School Committee?

No, only the full School Committee has the authority to approve policy matters. This includes rescinding policies, approving new policies, and approving revisions to existing policies.

MASC recommends that every School Committee have an active plan for managing policies. Policy Subcommittees and Advisory Committees are helpful ways to support the full School Committee and keep the community's policies current and compliant with local, state and federal laws.

What if we do not take action Tuesday?

It isn't appropriate to work under the auspices of the entity we have been referring to as the Policy Subcommittee now that we know the charge can't be located. This is our last meeting before the summer, and the work will have to stop until we take action. Jim Hardy is prepared to meet over the summer and both Judy & Jessie agreed to pick up the work that has been on pause for two years. However, they don't have proper authority to do this until the School Committee takes action. Since MASC has kindly agreed to extend the terms of our contract, based on Ms. Coppe's formal request, it would also save the town money if we do our best to carry on work over the summer. If we are not willing to move forward, MASC has the right to demand their final payment for the 3-year contract since Lexington caused the delays of the last 2 years.

How will the membership work?

Judy Crocker and Jessie Steigerwald will serve on both groups. The subcommittee only has two members, so the membership will be complete. The Advisory Committee membership will include 3 non-School Committee members. Robert Rotberg is willing to continue. David Horton is not able to continue at this time and we will bring forward a name to fill his seat. We will know Barbara Manfredi's status by Tuesday. If she is willing to continue, we recommend that she also continue.

Is there any other relevant background information?

For the past 5 years, current members of the School Committee have openly referred to the Policy Subcommittee. We appointed members, and the Subcommittee met regularly from 2008-2010. Agendas and minutes were posted, and the Subcommittee began a three-year process to establish a Policy Manual with the consulting services of the Massachusetts Association of School Committees (MASC). It was not clear to anyone that the charge would be impossible to locate. David Horton had served on the Policy Subcommittee when it had most recently met (probably before 2005). He was able to provide background information. When he met with that prior group, a staff person took the lead on calling meetings. At some point, the staff person left, and no other person was designated to call the meetings. Beginning in 2005, Dr. Ash brought forward policies that he recommended. After 2008, Margaret and Jessie began the process of evaluating MASC's consulting services, advocating for them to be hired, and then began the first steps of the manual project.

Submitted by Jessie Steigerwald & Judy Crocker

Policy Manual Subcommittee

Members: 2

Appointed by: School Committee

Length of Term: One year

Appointments made: As needed

Meeting times: As posted

Description: The purpose of this Subcommittee is to review and study policies of the School Committee and to develop a Policy Manual for the Lexington School Committee. Once approved the manual shall be regularly reviewed and updated.

The Subcommittee is to review existing policies and potential new policies, identify, study and discuss possible obsolete policies, policies in need of revision and policies which do not need revision. The subcommittee will then make recommendations to the full School Committee for action on policies (including approval for new policies, rescinding obsolete policies, and revising existing policies as needed).

As part of the policy review, the Subcommittee shall review the Policies and Procedures of the School Committee and recommend changes. The School Committee Policies and Procedures will become part of the policy manual after approval by the full School Committee.

Criteria for Membership: The Policy Manual Subcommittee shall be made up of two current members of the School Committee.

SC Policy Manual Subcommittee Charge

School Committee's Policy Advisory Committee

Members: 5

Appointed by: School Committee

Length of Term: 3 years

Appointments made: As needed

Meeting times: As posted

Description: The purpose of the School Committee's Policy Advisory Committee (PAC) is to review and study specific policies of the School Committee as requested by the School Committee's Policy Sub-Committee and to support the School Committee in the development and upkeep of a Policy Manual.

Meetings: The Policy Advisory Committee will meet on an as needed basis. When called upon by the School Committee, the Policy Advisory Committee will provide recommendations on a timely basis. Meetings will be posted with the Town Clerk and will comply with the Open Meeting Law, including the requirement that minutes will be made available to the public.

The Policy Advisory Committee will make recommendations about policies to the School Committee, but has no authority to approve policies. The full authority to approve policies rests only with the full School Committee.

Criteria for Membership: The Policy Advisory Subcommittee shall include both members of the School Committee Policy Sub-Committee in addition to other citizens with experience and knowledge of School Committee policies and their legal implications.

Notes:

1. Will request that Board of Selectmen designate as Special Municipal Employees.

SC Policy Advisory Committee Charge