

# LEAP

LINCOLN EXTENDED-DAY ACTIVITIES PROGRAM

## Application to License Hartwell C Pod

Submitted to Lincoln School Committee

February 25, 2016

**Contacts:**

Ted David  
President of the LEAP Board  
efdavid@comcast.net

Kathryn Hawkins  
LEAP Director  
781-259-0615  
[leap0615gmail.com](mailto:leap0615gmail.com)

Visit our website: <http://lincolnleap.com>

## Introduction

On behalf of the Lincoln Extended-day Activities Program (LEAP) Board of Directors, staff and families, we are pleased to submit the following application for the licensing of Hartwell Pod C. As we enter into our thirty-fourth year on the campus of the Lincoln Public Schools, this academic year, we are energized by the addition of new families, activities and resources to our program and by the prospect of strengthening our partnership with the Lincoln Public Schools, our neighbors on the school campus, and the town.

The following information outlines the LEAP program's proposed use of Pod C. We believe LEAP possesses the attributes that the Lincoln Public Schools are looking for in an after-school care program and welcome further dialogue with the Lincoln School Committee to discuss our qualifications for continued use of the facility.

Numerous positive developments have taken place over the course of the past year. Here is a snapshot that we believe speaks to our focus on program quality, safety and affordability includes:

- A secured licensing with the Massachusetts Department of Early Education and Care in February, 2014 (currently going through the licensing process, March 2016)
- A revised and improved safety plan and staff safety training
- A balanced LEAP program budget
- A higher staff-to-child ratio than is required by the Commonwealth in order to allow greater attentiveness to safety, to support the interests and activities of individual children, and to allow staff escort to non-LEAP activities throughout the Lincoln School campus
- A balanced approach to education and recreation with the goal of supporting academic as well as social and emotional development of children
- A new organization structure of LEAP and an active board that invests in long term strategic planning for LEAP
- A stable environment with core staff members present five days a week
- A comprehensive staff training relevant to the education of children, new programs, and technology
- A strong and growing collaboration with METCO
- A discounted fee structure for all Lincoln Public School employees
- Financial aid to families as needed
- A continued evaluation of fee structure to ensure best value to all LEAP families.

Overall, we believe these and many other substantial changes enhance LEAP and make it a safe, dependable, and affordable choice for Lincoln families who require after-school care for their children.

We look forward to receiving any questions or comments you may have about our application. We thank you and the Lincoln School Committee for the time and consideration you have given the ongoing evaluation of our after-school program.

## Licenses and Certifications

Every other year, LEAP takes part in a comprehensive audit required for certification by the Massachusetts Department of Early Education and Care. LEAP is in the process of renewing its two-year license in February, 2016.

Per Commonwealth requirements, in addition to an application form and fee, LEAP completed and submitted the following documents and accounts of policies and procedures to support the licensing process. (Fuller descriptions and details associated with this list are available at <http://www.mass.gov/edu/docs/eec/2014/20140122-required-docs-provisional-licensure.pdf>.)

- Request and policies for background record checks to determine compliance with EEC requirements
- Tax certification statement form to verify that all applicable taxes have or will be paid
- Evidence of completion of staff orientation
- Forms maintained in children's records
- Parent information (parent handbook)
- Enrollment procedures and non-discrimination statement
- Plan for referral services
- Plan to avoid suspension and termination
- Evacuation/emergency contingency plan
- Ownership papers (names and addresses of all owners, officers and directors)
- Personnel policies (if applicable)
- Plan for volunteers/student interns (if applicable)
- Plan for staff orientation
- Plan for staff meetings (if applicable)
- Plan for staff supervision
- Transportation supplement form for program owned or operated vehicles
- Transportation plan if applicable
- Designation of administrative authority form provides current designation of person in charge on a daily basis and administrative plan
- Staff schedule form
- Staff records checklist
- Toileting and diapering policy (if applicable)
- Integrated pest management plan
- Required inspections, including building inspection certificate indicating approval for the number and ages of children in care; documentation of fire inspection; detailed lead paint inspection report and compliance letter (for programs serving children younger than 5 years of age); and the following, as applicable: health inspection, well water or public water supply test results, swimming pool and indoor pool roof inspection certificate
- Indoor/outdoor space sketches detailing requested licensed space
- Financial documentation, including a projected budget for one year and evidence of three months operating cash on hand
- Health care policy
- Health care consultant agreement form
- Plan for transition of a child

## Evidence of Insurability

LEAP is insured through the broker Philadelphia Insurance Companies (phone: 610-617-7940; address: One Bala Plaza, Suite 100, Bala Cynwyd, PA 19004). LEAP carries three separate insurance policies, which are as follows:

- 1) Our insurance policy for public liability for bodily injury and property damage is comprehensive, covers \$1,000,000 per occurrence and up to \$2,000,000 as an aggregate sum. Our liability insurance is provided by U.S.I. Insurance Services LLC (phone: 781-938-7500; address: 12 Gill Street, Suite 5500, P.O. Box 4043, Woburn, MA 01801). This policy was renewed on November 11, 2015, and expires on November 11, 2016. The policy number is PHPK1097867.
- 2) LEAP's worker's compensation policy is provided by A.I.M. Mutual Insurance Companies (phone: 800-876-2765; address: P.O. Box 4070, Burlington, MA 01803). LEAP has used this plan since March 2009 without a claim made. The plan was recently renewed on November 1, 2015, and will continue until November 1, 2016. It covers bodily injury by accident (per accident) and bodily injury by disease (per employee) of \$100,000. LEAP also has a policy limit of \$500,000 for bodily injury by disease. The policy number is AWC-400-7007212-2013A.
- 3) LEAP retains a not-for-profit organization directors and officers liability insurance policy with U.S.I. Insurance Services as our provider. (The telephone number and mailing address for U.S.I. are the same as those provided in item number one above.) This policy includes coverage of up to \$1,000,000 for LEAP's directors, officers and employment practices. LEAP renewed this policy on January 17, 2016; the policy will continue until January 17, 2017. The policy number is PHSD912071. This is a "Flex Plus Five" policy.

## Continuity of Operations

LEAP families and children benefit from strong stability among the program's staff. Additionally, we place a premium on assembling and maintaining a core group of staff members who work more than 20 hours a week. Their commitment to and investment in the program have been factors in its long-term success. Moreover, we find that when children are in the care of the same staff members every day, they feel more secure in their environment. We are pleased to currently have six staff members who spend at least 20 hours each week at LEAP.

The tenure of our staff is also notable. The program's staff includes three members who have worked at LEAP for a combined total of 23 years. LEAP's Director has been a member of the LEAP staff for 14 years.

## Time in Operation

LEAP has been in operation since 1981. From its start until the mid-1990s, the program moved between the Smith and Brooks Schools, hoping for a more permanent location. In September 1995, LEAP began its occupancy of Pod C.

Over the last 19 years, LEAP has worked to transform the facility into a comfortable, child-friendly space where they can play, complete class assignments and have a home-base on the school campus for after-school activities such as the Lincoln After School Music Program (LASMP), Recreation Department classes, sports and theater.

LEAP's enrollment had been slowly declining over the past several years, but in the past five years, enrollment increased. For the current school year, LEAP has maintained the momentum, bringing in 14 new kindergarteners to the program on top of the 16 from last year. We believe this bodes well for enrollment over the coming years. This year we once again have over 80 students enrolled.

Over the next two years, we expect our numbers to grow as enhancements to LEAP's program make it more attractive. As previously noted, we are also working to provide better value for the fees, which we believe will make LEAP a more attractive option for more Lincoln families.

## Staff Training and Experience

Of the eight core employees at LEAP, five have earned bachelor's degrees:

- LEAP's Director earned her B.A. in education and an associate's degree in art; she also has a certificate in outdoor leadership. She has met all of the requirements for a Director Certification and is awaiting acceptance from the EEC.
- LEAP's 4/5 coordinator has his B.S in Physical Education and a Master's of Arts in Business Administration as well as a license through the department of education for Physical Education grades Pre-K through 12.
- LEAP's Financial Administrator has his B.A in Finance and accounting.
- LEAP's Kindergarten & 1<sup>st</sup> Grade coordinator has her B.A. in English with a concentration in writing.
- LEAP's 2<sup>nd</sup> & 3<sup>rd</sup> grade coordinator has her B.A. in sociology.

The rest of the core staff have completed some college:

- Our 4/5 Group Leader has her Associates degree in Fine Arts, and plans to work towards her bachelors degree in the near future.
- Our First grade Group Leader is currently enrolled in college working towards his Associates in Business Administration.
- LEAP's Recreation Director has completed some college courses. He has been running Hoops Ed, an educational basketball program for 3 years. This year he will be upgrading it to his own business dedicated to teaching and coaching basketball students grades 3-12.

In Addition:

- We also employ high school students part time, many of whom were enrolled at LEAP as younger children. Some of these students also work as counselors at the Lincoln Summer Day Camp, so have been demonstrated an interest in and talent for working with younger children.

We believe the LEAP program benefits from our senior staff members providing the program with a continued benefit of past training and experience working with children in Lincoln. LEAP will continue to bolster its staff with experienced, well-credentialed, new members. In the past year, LEAP has hired three new employees with bachelor's degrees and vast experience working with children. These new members have proven to bring new activities to the program.

Before being hired by LEAP, staff members are processed through the Criminal Offender (CORI) and Sexual Offender (SORI) registries. Employees may not work with children until the background checks are returned to LEAP and proven to be safe to work with children. Once hired as a LEAP staff member, employees are subjected to yearly CORI and SORI reports through the Department of Early Education and Care as well as the Lincoln Public Schools. Furthermore, as of 2014, all new employees are required to submit to fingerprinting (CHRI), which checks a staff member's background against a national database. All employees hired before 2014 are required to be fingerprinted by the end of 2016.

LEAP staff members are required to have First Aid training, including CPR, and staff who work 23.5 hours per week or more must complete 20 hours of additional training each year. The staff are encouraged to enroll in sessions that are of personal interest to them and that they put to immediate use for enrichment sessions at LEAP. A few examples of staff selections include the Northeast Leadership Conference, non-violent crisis intervention at the Crisis Prevention Institute (<http://www.crisisprevention.com>), sewing lessons, leather-making classes, and Turbo-Kick group exercise instructor training.

LEAP staff members are also required by the Massachusetts Department of Early Education and Care to take five online courses, which include:

- "51A Mandated Reporter Training" on recognizing child abuse and neglect
- "An Introduction to Early Education and Care in Massachusetts"
- "Look Before You Lock," regarding safe transportation of children
- "Medication Administration: The Five Rights"
- "USDA Nutrition"

Staff meetings must now begin with a discussion of safety, without exception, and core staff members are required to attend.

Between meeting Commonwealth training requirements as part of our recent successful licensing process, focusing on retaining a core group of employees who work at least 20 hours a week at LEAP, and hiring part-time workers who are dedicated to child education or who have direct experience as children with our program, we believe LEAP has demonstrated a strong focus on training employees and on hiring those with relevant experience.

## Staff/Child Ratio

The Commonwealth requires a ratio of at least one staff member for every 13 children, but LEAP has elected to maintain a ratio that we believe is more favorable to the children in our program—one staff member for every nine children.

While this slightly increases our costs, we believe this allows the students to have more personalized and individualized homework assistance. This also gives us the ability to break into smaller groups to explore interests and to engage in projects that require more supervision, such as baking, computer programming and theater arts.

Our staffing ratio permits employees to escort individual children to and from Recreation Department programs and activities, such as music lessons, scout meetings, athletic practices, and theater rehearsals. These activities are held on the school campus or sometimes as far away as Pierce Park. If we staffed at the minimum level, adults would not be able to continuously break away from larger groups to see to the safe and timely delivery of children to their various activities.

## LEAP Program

LEAP's mission is to provide K-8 students with an engaging after school program that offers diverse opportunities for enrichment, exploration and the development of social skills in a nurturing environment.

LEAP provides a variety of learning experiences to enhance your child's social, emotional, physical and intellectual development. We believe that children learn best by doing. The program is designed to allow children to choose from activities including arts and crafts, nature, science, reading, games, cooking and sports. The program is augmented with field trips and workshops.

Our teachers are our most valuable resources. They are dedicated professionals committed to providing quality care and education for your children. The LEAP staff recognizes the uniqueness and importance of each child and strives to provide an opportunity for each child to explore new pastimes and ideas in a safe, creative and supportive environment.

Lincoln Extended Day does not discriminate on the basis of race, religion, cultural heritage, political beliefs, national origin, marital status, sexual orientation or disability in its admissions, services to families, educational policies, financial assistance, or otherwise in its operation or management.

Brief descriptions of some of our programs follow.

### Educational Activities

- **Tutoring**—LEAP staff have long helped students with homework, and this year we have begun collaborating with the local high school peer tutors. This program allows local high school students to gain volunteer hours while working with children and improving their resume, and allows LEAP students to get personalized academic support. LEAP teachers can focus on the larger group while the peer tutors give focused attention to the students who need additional support.

- **Increased collaboration with Magic Garden**—For two years, LEAP has run a “reading buddy” program that allows children from our program to take supervised visits to Magic Garden to read a chosen book to the preschoolers. This program is modeled after the kindergarten/ third-grade reading program at Smith School. The feedback from Magic Garden teachers and from LEAP students has been strongly positive.
- **Technology upgrade**—In the fall of 2013, LEAP secured 15 new computers for use by the students. By not only expanding access to computers, but also improving their quality, LEAP is now able to support all children who need to use a computer to complete homework assignments. In the past, children would often need to wait for turns, or would be challenged by older, slower technology. LEAP now houses a dedicated computer lab, updated yearly, that allows students to achieve in a school-like atmosphere in addition to providing a space for special activities and tech classes.
- **Hour of Code**—In December of 2014, LEAP joined 100 million students around the globe by participating in “An Hour of Code” (code.org). During this time, all LEAP students completed one hour of computer programming tutorials. In one week, 85 students were immersed in Scratch, Python and Java programming languages. LEAP also made this available to all Lincoln Public School students and received some additional participation from the public. LEAP participated in this global event this past December, where Minecraft was the theme that helped engage students of all ages.
- **Increased collaboration with Drumlin Farm**—LEAP is working with Drumlin Farm’s Kris Scopinich to bring a week of farm-related opportunities. Last November LEAP participated in a special program offered by Drumlin farm titled Native Pathways.
- **Visits from special speakers**—LEAP now regularly hosts talks with parents and other guest speakers on particular topics. Plans in the near future include a family workshop with science experiments from a parent who is a college professor and a presentation from Lincoln Conservation Director, Tom Gumbart.
- **Visits from librarians from the Lincoln Public Library**—LEAP has long borrowed books from the library in order to increase the diversity of reading materials for children, but has also begun to coordinate periodic visits from librarians to read and discuss particular stories with the students.
- **Field Trips to Decordova Museum**—LEAP takes children on a nature walk through the beautiful woods of Lincoln to get to our local outdoor museum. The children learn about their environment, community and fine arts during the walking field trip.
- **Community Service Day**—LEAP participated in community service awareness week, where the children walked laps to raise donations for a canned drive to Rosie’s Place, a women’s shelter in Boston. During the week, the children also made cards for the elderly and sick, learned about Random Acts of Kindness , and played team-building recreational games.

## **Collaboration with METCO**

LEAP remains dedicated to fostering a close working relationship with METCO. We have combined forces to provide the Lincoln students from town and from Boston with monthly field trips. These trips include walking along the Black Heritage Trail in Boston, Roller Kingdom, and The Kroc Center. LEAP also hosts monthly “stay and play” visits for Boston children who would like to spend the afternoon with a friend while under the supervision of LEAP staff. In the past school year, student participation has seen a drastic increase with as many as 65 METCO students attending these activities on a monthly basis.

## **School Vacation Programs**

During the February and April school vacations, LEAP offers Vaca-Playdays for children in grades kindergarten through five from 8:00 a.m. to 4:00 p.m. Vaca-Playdays is open to all Lincoln students, not just those who are already enrolled in LEAP. We also offer programs to all Lincoln students during teacher training days and parent-teacher conferences.

Following are schedules for typical days at LEAP:

### **Monday, Tuesday, Thursday and Friday**

- 3:00-3:45 p.m.: Meeting, snack and homework
- 3:45-4:10 p.m.: Free play
- 4:15-5:15 p.m.: Organized activity
- 5:15-6:00 p.m. Clean-up, quiet time and prepare to go home
- 6:00 p.m.: Parents’ pick-up deadline

### **Wednesdays**

- 12:45 p.m.: Lunch
- 1:15-1:45 p.m.: Recess
- 1:45-4:00 p.m. Leap-wide theme day, Club activity, or field trip (descriptions below)
- 3:45-4:00 p.m.: Snack (on Wednesdays without field trips)
- 4:00-4:35 p.m.: Homework
- 4:35-5:15 p.m.: Organized activity
- 5:15-6 p.m.: Cleanup, quiet time and prepare to go home
- 6:00 p.m.: Parents’ pickup deadline

Because Wednesdays are a long day at LEAP, we try to find original and fun ways to spend the extra time. This year we have various theme-days at LEAP, where all students participate in themed activities. On Science day, the children were split into age groups and travelled between different stations, each with a different scientific activity. We also had Community Service day, Harry Potter day, and Star Wars day.

Other Wednesdays, students participate in a teacher-led “club” activity of their choice, such as theatre, baking, hiking, or organized sports such as soccer or capture the flag. Depending on the weather, there may be sledding or a trip to Codman Pool. If the weather is expected to be warm enough for swimming, parents are notified ahead of time and asked to supply a bathing suit and towel.

One Wednesday a month, LEAP offers an optional, off-campus field trip to age-appropriate destinations. For example, younger children may go to One Stop Fun while older children go snow-tubing at Nashoba Valley Ski Area. Field trips depart at 1:45 p.m. after the children eat lunch and return by 4:00 p.m. Admission costs are included in LEAP’s monthly fee.

LEAP’s ratio of staff to children permits us to offer an array of Wednesday afternoon programs and to let students choose their favorite. It also enables us to create separate field trip experiences for younger and older students, and to permit those who want or need to remain in Lincoln for music lessons or other activities to do so with appropriate supervision.

## **Governing Board and Parent Participation**

LEAP’s day-to-day operations are managed by one director, who focuses on programming, staff and operations, with the help of a professional accountant for budget matters. They report to a parent-run board that is currently in discussions about strategic planning and possibilities of improvements in the upcoming years.

In the summer of 2013, the LEAP Board of Directors restructured the management of the program and is currently taking a more active role in its governance. Our goal with this move has been to improve the program’s quality and to reverse what had become a slightly negative budget trend. (LEAP’s budget is now, for the first time in several years, balanced.)

The board is comprised of the following members:

- Ted David, President—Engineer
- Roy Katz, Treasurer—Marketing Director
- Marc Crosby, Clerk—Assistant branch manager, East Boston Savings Bank
- Mia Dubosarsky-Katz—Worcester Polytechnic Institute, professional development director
- Julie Graves —Vertex Pharmaceuticals, director of corporate legal
- Erica Gonella—IT consultant
- Deanna Mori—VA Medical Center, clinical psychologist

Over the past year, the board and staff of LEAP have also relied on contributions from specialists in our community. We have benefitted from substantial assistance from:

- Sharon Lincoln, LEAP parent and *pro bono* legal counsel—Sharon is an attorney at Foley Hoag and specializes in non-profit law. She is helping the board update documents and improve our corporate governance.
- James Sully, computer help—James is a member of the IT department at the Lincoln Schools. He helps update the software and safety settings on our computers and laptops, assuring that students are getting safe, fast and helpful technology.
- Ogden Codman Trust—We were awarded a grant from this trust, only available to organizations within the town of Lincoln.

Parents are continuously encouraged to express opinions and are invited to all board meetings. During the 2014-2015 school year, we undertook a written survey to parents in an effort to discover what is most important to parents and the vision they have for the future of the program. We also solicited their general feedback on the program. Parents' comments on the three core areas were overwhelmingly favorable, but they also offered valuable suggestions that the board and staff are working to address.

### **Proposed Fee Structure**

During the 2013-2014 academic year, LEAP successfully balanced its operating budget for the first time in four years.

In June of 2014, the LEAP board and its community approved dramatic tuition fee reductions for this current school year. Over the previous five years, the cost of tuition had been increasing yearly by 5-6%. Members of the LEAP board and the director of operations overhauled the fee structure and reduced tuition costs of families by up to 32 percent with savings of \$140 dollars per month. These rates compare favorably to LEAP fees found in 2010-2011. All of this has been accomplished while continuing to increase special programming and providing better value for less money. In addition to decreasing the monthly rates for Lincoln families, the cost of the yearly registration was dropped from \$150 to \$100, with an early registration cost of only \$50.

LEAP continues to provide a universal 25 percent tuition discount of its new rates to Lincoln Public Schools employees. This policy impacts 9 families and 13 children, or 15 percent of LEAP's current enrollment.

As part of our effort to make LEAP affordable, the program provides financial aid of at least 25 percent to three other families.

Finally, we accept vouchers from Child Care Resources and Child Care Choices for three families with financial need. This impacts four children, who now receive after-school care at half of LEAP's current rates.

In sum, 23 percent of LEAP children receive at least 25 percent tuition relief.

Finally, after LEAP reviewed the needs of middle school students and their constantly changing schedules, LEAP has introduced the one day a week option for sixth grade and above.

We have kept the rates the same for the 2015-2016 year in order to establish a competitive rate in comparison to surrounding programs.

### **Monthly Rates**

Our regular monthly rates for the 2015-2016 school year are as follows:

\$100 registration fee (covers LEAP's per child cost of insurance) or \$50 if paid before July

#### **Kindergarten**

- 5 days: \$660
- 4 days: \$575
- 3 days, including Wednesday: \$550
- 3 days, not including Wednesday: \$440
- 2 days, including Wednesday: \$400
- 2 days, not including Wednesday: \$290

#### **Grades 1 through 8**

- 5 days: \$560
- 4 days: \$485
- 3 days, including Wednesday: \$465
- 3 days, not including Wednesday: \$370
- 2 days, including Wednesday: \$340
- 2 days, not including Wednesday: \$250

### **Proposed Rent and Allowance for Capital Projects**

The LEAP board suggests that the program's rent remain as specified with our proposed licensing agreement, although anything less will directly contribute to our ability to deliver more service to Lincoln families for less money.

Following is the recent history of LEAP's lease payments, which had increased three percent every year until entering the licensing agreement.

- 2008-2009: \$25,000
- 2009-2010: \$25,740
- 2010-2011: \$26,522.50
- 2011-2012: \$27,318.18
- 2012-2013: \$28,137.72
- 2013-2014: \$31,000
- 2014-2015: \$28,800
- 2015-2016: \$28,800

Prior to the licensing agreement, our maintenance and capital improvement costs had been 10 percent of the lease amount for the space. For example, our additional costs in 2012-2013 were \$2,813.77. The \$28,800 cost for 2015-2016 does not include the expected costs of maintenance.

## Closing

In Closing, LEAP has been operating successfully at this facility for over a decade. Our staff, programs and references speak to the continued achievements of the program. We are focusing our efforts on strategic planning and the hiring of new staff members in order to enhance and enrich the activities for our students. We believe that this facility is an ideal environment for our afterschool program and look forward to maintaining the community that we have established.

## References

**Mimi Borden**

[Mimiborden@yahoo.com](mailto:Mimiborden@yahoo.com)

**Lila Kanner**

[lilakanner@gmail.com](mailto:lilakanner@gmail.com)

**Pam DiBiase**

[Pdibiase@lincnet.org](mailto:Pdibiase@lincnet.org)



# LINCOLN PUBLIC SCHOOLS

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## LICENSE

### Lincoln Campus -- Pod C

This License (hereinafter "the License"), made this 24<sup>th</sup> day of March, 2016, by the **Lincoln Public Schools**, a public school district of the Town of Lincoln, Massachusetts, duly organized under M.G.L. c. 71, and having an address at Ballfield Road, Lincoln, MA 01773 (hereinafter "the District"), to **Lincoln Extended-Day Activities Program**, having an address of PO Box 298, Lincoln, MA 01773 (known hereinafter "the Licensee").

#### WITNESSETH:

**WHEREAS**, the District desires to memorialize an understanding with the Licensee to govern the Licensee's use of a certain building under the care, custody, and control of the Lincoln Public Schools, Ballfield Road, Lincoln, MA 01773, being more specifically described as **Pod C, Hartwell Complex, Ballfield Road Campus** and depicted in the drawing appended hereto at Exhibit A ("the Licensed Premises"), and the Licensee's use of the Smith and Brooks Gyms, in cooperation and after consultation with the administration of the Lincoln Public Schools. The Licensee understands that, consistent with historical practice and policy, the gym and locker room use will go first to the Lincoln Public Schools and second to the Lincoln Recreation Department. Use of all space is subject to the School Committee's guidelines;

**WHEREAS**, the foregoing License involves no net cost to the District;

**NOW, THEREFORE**, it is mutually agreed between the parties hereto as follows:

#### 1. SCOPE OF LICENSE/CONDITIONS/TERMINATION/RENEWAL

A. The District hereby grants, subject to the conditions outlined herein and subject to the payment of an annual license fee of twenty-nine thousand seven hundred dollars and no cents (\$30,400.00), payable in two (2) equal payments, the first on December 1 and the second on June 1, the non-exclusive use of the Licensed Premises, for the license period, which shall commence on July 1, 2016 and shall terminate on June 30, 2017. Said non-exclusive use shall include every activity reasonably incidental to the conduct of the normal activities of the Licensee, which are the operation of

## LICENSE

## Lincoln Campus -- Pod C -- FY17

a licensed, affordable after-school and school year recess period care program for school-aged children, using the Licensed Premises on the Lincoln Campus of the Lincoln Public Schools, in a proper and thorough and workmanlike manner and to the satisfaction of the District. Said use shall also include reasonable ingress/egress to the Licensed Premises.

B. The effective period of this License shall be for the term stated above; provided, however, that this License is subject to the continued sole consent of the District. This License may also be extended at the sole consent of the District. This license is subject to revocation at the sole discretion of the District.

C. Failure of the Licensee to adhere to the terms of this License shall constitute grounds for termination. In the event of termination, the District shall owe nothing in damages to the Licensee. In the event of termination or at the end of the term of the License, the Licensee also shall surrender its use of the Licensed Premises to the District in working condition; should it fail to do so, it shall be liable for clean-up costs and any damage beyond normal wear and tear to the Licensed Premises. This License also may be terminated for convenience by the District. Without prejudice to its rights, the District, should it terminate this License for convenience, may decide to give the Licensee ninety (90) days' notice of its decision. If the Lincoln Public Schools, in its sole discretion, undertakes a major public school building construction project requiring the relocation of students or staff at any of the facilities under its control during the term of the License, which thereby makes it necessary, in the sole opinion of the School Committee, to use Pod C, it may modify the terms of the License to provide for shared use of Pod C or to provide alternate space on the Lincoln Campus for the Licensee's program upon one hundred twenty (120) day's written notice to the Licensee.

D. As expressed earlier in this License, the Licensee's use of the property shall be subject to the following conditions:

1. Both the District and the Licensee understand the Licensee's use of the premises shall be limited to approximately ten (10) months of the year, commencing on approximately August 25, 2015, and ending on approximately June 26, 2016. The Licensee shall not be allowed to use the Licensed Premises from two (2) days after the last day of classes to one (1) week before classes begin.
2. The Licensee shall perform an annual inspection to the Licensed Premises, and shall advise the District of any unsafe/hazardous conditions at the Licensed Premises.

## LICENSE

## Lincoln Campus -- Pod C -- FY17

3. The Licensee shall ensure as follows: (1) that use of the Licensed Premises is safe and reasonable; (2) that no unlawful activity occurs on or near the Licensed Premises; 3) that the Licensed Premises are reasonably maintained; and (4) that District is immediately notified of any necessary repairs to the Licensed Premises. The Licensee also agrees as follows: (1) to keep the Licensed Premises clean and neat; and (2) to ensure that the cleanliness of the Licensed Premises complies with applicable federal, state, and local health standards. The District shall supply all water, electricity, sewer, heating and custodial services to the Licensed Premises, which shall remain at all times under the ultimate control and ownership of the District. The Licensee's use of water, sewer, heating and electricity and the custodial services in conjunction with the Licensed Premises shall not be measured separately, but shall be included with the license fee.
4. The Licensee shall avoid scheduling activities that would interfere in any way with school activities.
5. The Licensee shall not improve, repair, alter, restore, construct, or reconstruct the Licensed Premises, or permit any improvements, repairs, alterations, restorations, constructions, or reconstructions at or to the Licensed Premises, without the approval of the District. The decisions regarding whether improvements, repairs, alterations, restorations, constructions, and/or reconstructions should be made to the Licensed Premises lie solely with the District, which at all times retains sole ownership and ultimate control thereof.
6. This License invests no property interests or contractual rights in the Licensee.
7. The Licensee shall comply with all applicable federal, state, and local laws, rules, and regulations, including, without limitation, applicable CORI (Criminal Record Offender Information) and SORI (Sex Offender Registry Information) requirements.
8. Mandatory Criminal Record (CORI) Checks. Because of the close proximity between the proposed use and the Lincoln Preschool and Lincoln School, it is presumed that Licensee employees and contractors will have the opportunity for direct and unmonitored contact with children. Consequently, the Licensee shall submit all of its employees, parent volunteers (if any) and contractors who provide services in support of the Licensee's programs to the District for CORI checks sponsored by the District.
9. At least once each school year, all after-school program students shall participate in emergency building evacuation drill(s) at the Pod C location.

## LICENSE

## Lincoln Campus -- Pod C -- FY17

10. The Licensee shall have a telephone connection through which the School Department may make quick contact with the operator and/or her/his agent. The phone number(s) must be submitted upon signing of the Agreement.
11. The Licensee shall appear for conferences with the Superintendent or his/her designee when requested.

### 2. **INSURANCE AND INDEMNIFICATION**

The Licensee shall provide and shall maintain throughout the term of this License and any extension or renewal thereof the following insurance with companies that are authorized and licensed in the Commonwealth of Massachusetts to issue policies for the coverages and limits so required. Prior to the effective date of this License, the Licensee shall provide to the District a certificate or certificates of insurance which complies/comply with the requirements stated herein.

- A. Workers' Compensation Insurance as required by the laws of the Commonwealth of Massachusetts and Employer's Liability Insurance in the amount of \$500,000/\$500,000/\$500,000.
- B. General Liability Insurance, \$1,000,000 each occurrence and \$2,000,000 aggregate limit; \$100,000 of replacement cost of personal property at replacement.
- C. Automobile Liability Insurance - Combined single limit of \$1,000,000.
- D. Excess Liability Insurance/Umbrella Form - \$1,000,000 each occurrence and \$2,000,000 aggregate limit.
- E. Additional Insureds - Each policy of liability insurance, other than Employer's Liability Insurance under Workers' Compensation Insurance, shall name The Town of Lincoln and the Lincoln Public Schools c/o the Lincoln School Committee, and their boards, commissions, committees, agents, employees, and assigns as additional insureds.

Said insurance policy shall be non-cancelable with respect to the interests of the Licensee as to the Licensed Premises without at least thirty (30) days prior written notice thereto.

To the fullest extent permitted by law, the Licensee shall indemnify, defend (with counsel acceptable to the District), and hold harmless the District and its officers, employees, boards, committees, and agents from

and against any and all loss, liability, damages, claims, causes of action, suits, and costs, including, without limitation, reasonable attorney's fees and expert witness fees, caused in whole or in part by the willful misconduct, negligent act or omission, or copyright or patent infringement of the Licensee or its officers, employees, or agents in connection with the use of the Licensed Premises.

**3. SEVERABILITY**

If any provision, or portion thereof, of this License is adjudged to be invalid or unenforceable by final judgment of a court of competent jurisdiction, the remaining provisions shall continue in effect to the extent permitted by law.

**4. ASSIGNMENT**

This License shall not be assigned by the Licensee.

**5. NO THIRD-PARTY RIGHTS**

This License shall not create any rights or benefits in favor of third parties.

**6. AMENDMENT**

This License may be amended only by written consent of the District.

**7. GOVERNING LAW**

The License shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, regardless of choice of law principles.

**8. MISCELLANEOUS**

By accepting the terms of this License, the Licensee certifies that it is in compliance and shall remain in compliance with the Commonwealth's Conflict of Interest Law, M.G.L. c. 268A. By accepting the terms of this License, the Licensee certifies that it has accepted them fairly, in a *bona fide* manner, and without fraud or collusion against any person. By accepting the terms of this License, the Licensee certifies, pursuant to M.G.L. c. 62C, §49A, under the pain and penalty of perjury, that it has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

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**Nothing  
follows on  
this page**

**LICENSE**

**Lincoln Campus -- Pod C -- FY17**

**IN WITNESS WHEREOF**, the District hereby issues this License.

Lincoln Public Schools (“the District”)

By:

Jennifer Glass, Chair,  
Lincoln School Committee  
Dated: March 24, 2016

Lincoln Public Schools (“the District”)

By:

Rebecca McFall, Superintendent  
Dated: March 24, 2016

Terms of this License Accepted By:

Lincoln Extended day Activities Program (“the Licensee”)

By:

Edwin F. David, President  
Dated: \_\_\_\_\_