

8th Grade Field Trips☺

(Permission Slip for 2 field trips)

Exhibit 1

October 3, 2013

Dear Parents/Guardians:

The Eight Grade will be participating in a Project C.O.P.E. field Trip on October 28th. Project COPE is a program that emphasizes teamwork, communication, trust, leadership, decision making, problem solving, and self-esteem. The program is composed of group initiatives, trust events, low-course events and high course events. **This field trip will be an all-day event and the students will need to bring a bag lunch, water bottle, and wear PE type clothing and sneakers, no other footwear will be permitted.** We will depart the Middle School at 8:30am and return in time for regular afternoon busses. In addition to this permission slip, please review and sign the attached documents.

The Eighth Grade is proud to announce that we have reserved space at the theater on the Rhode Island College campus to see the production of *ENCORE* on December 16th. This is a collection of classic literary short stories that includes: "The Tell Tale Heart" and "The Raven" by Edgar Allan Poe, "The Legend of Sleepy Hollow" by Washington Irving, "The Monkey's Paw" by W. W. Jacobs, "The Necklace" by Guy de Maupassant and "The Celebrated Jumping Frog of Calaveras County" by Mark Twain. These short stories are part of the eighth grade English curriculum and will provide students an excellent opportunity to see their subject matter come to life. **This field trip will be an all-day event and the students will need to provide a bag lunch.** The performance begins at 10:30 A.M., and the students will be returning to school in time for their regular afternoon bus dismissal.

Cost of these trips, combined, is \$25.00. This amount covers the cost of the ticket for the performance entrance to COPE and partial payment for bus transportation—financial assistance is available for those in need. **This field trip is for the entire eighth grade.** In order to secure such a large space in the theater, it is imperative that we have all checks and permission forms by **Tuesday, October 8th**. Your help in this matter is greatly appreciated.

Please make the check payable to the Portsmouth Middle School. Return the check, together with the permission form, by Tuesday, October 8th.

If you have any questions please call Mrs. Ernest at 849-3700.

Sincerely,

Mrs. Ernest

(cut here)

**PARENTAL INFORMED CONSENT AND
RELEASE/INDEMNITY/HOLD-HARMLESS AGREEMENT**

I understand participation in COPE offered through the Narragansett Council, BSA, on _____ involves a certain degree of risk that could result in injury. In consideration of the benefits to be derived and after carefully considering the risk involved, and in view of the fact that the Boy Scouts of America is an organization in which membership is voluntary, and having full confidence that precautions will be taken to ensure the safety and well-being of my (son/daughter), I have given _____ (son/daughter) my consent to participate in COPE, and:

RELEASE AND INDEMNIFICATION

I hereby release and waive any and all claims that I may have against Boy Scouts of America Narragansett Council, BSA and their employees, agents, representatives, or volunteers arising from my child's participation in COPE. I AGREE TO FULLY INDEMNIFY AND HOLD HARMLESS BOY SCOUTS OF AMERICA Narragansett COUNCIL, BSA, AND THEIR EMPLOYEES, AGENTS, REPRESENTATIVES, AND VOLUNTEERS FROM ANY AND ALL CLAIMS ARISING FROM MY CHILD'S PARTICIPATION IN COPE. THIS INDEMNIFICATION EXPRESSLY INCLUDES ANY CLAIMS ARISING OUT OF THE BOY SCOUTS OF AMERICA Narragansett COUNCIL, BSA'S OWN NEGLIGENCE OR FAULT OR THAT OF THEIR EMPLOYEES, AGENTS, REPRESENTATIVES, OR VOLUNTEERS. I AGREE THAT THE INDEMNIFICATION INCLUDES THE AMOUNT OF THE CLAIMS, THE EXPENSES OF DEFENDING AGAINST THE CLAIMS, COURT COSTS, AND ATTORNEYS' FEES.

In case of emergency, I understand that every effort will be made to contact me. In the event I cannot be reached, I hereby give my permission to the physician selected by the adult leader in charge to secure proper treatment, including hospitalization, anesthesia, surgery, or injections of medication for my child.

This form must have both parent/guardian signatures.

Signature

Signature

Telephone Number

Telephone Number

Date

Date

Exhibit 3

Michael Brown Co 546 <mibrown@bsamail.org>

October 10, 2013 3:38 PM

To: John McDaid <jmcdaid@torvex.com>

RE: Media question about COPE school groups

John: Sorry about the delay - the Fall is very busy here. To answer your original question, there is no charge from the Scouts to the School Department. The grant comes directly to the Scouts and is funded by the Prince Foundation. It is listed at this link at the top of page 5: http://www.princetrusts.org/ri_sample.11.pdf

The indemnity form is a standard one that we received from the national organization and that we use. I really don't know anything beyond that.

Thank you for your patience.

Mike Brown | Program Director

BOY SCOUTS OF AMERICA
Narragansett Council #546

P.O. Box 14777
East Providence, RI 02914
P 401.351.8700 x28 | F 401.351.5515
mbrown@narragansettbsa.org

-----Original Message-----

From: John McDaid [mailto:jmcdaid@torvex.com]

Sent: Thursday, October 10, 2013 3:36 PM

To: Erin Olson; dpreston@nharbor.com

Cc: Michael Brown Co 546

Subject: Fwd: Media question about COPE school groups

Hi, Ms. Olson...

Since I have received no reply from either Mike Brown or your organization, I'm just checking -- how should the relationship between New Harbor and Narragansett BSA be characterized for the media?

Best Regards.

-John

John G. McDaid
65 Gormley Ave
Portsmouth, RI 02871
(401) 662-3198
harddeadlines.com
twitter: @jmcdaid

Begin forwarded message:

From: John McDaid <jmcdaid@torvex.com>

Subject: Re: Media question about COPE school groups

Date: October 7, 2013 8:46:49 AM EDT

To: Michael Brown Co 546 <mibrown@bsamail.org>

Cc: Erin Olson <eolson@nharbor.com>

Hi, Mr. Brown...

Just following up -- the Portsmouth School District was unable to provide information about the grant under which you are covering their normal event fees. Does Narragansett Council BSA wish to respond to this question, or do you not want to make that information available to the public whose children are scheduled to attend?

Also, is it your usual practice in indemnity agreements with public schools to require parents to expressly indemnify even in the event of "negligence or fault" on the part of Narragansett Council BSA's employees, agents, representatives, or volunteers?

Happy to have a response from you or your press representative, as appropriate. Deadline is tomorrow night, when I'll be asking these questions in public session directly to the Portsmouth School Committee.

Best Regards.

-John

John G. McDaid
m (401) 264-0313
harddeadlines.com
twitter: @jmcdaid

On Oct 4, 2013, at 9:16 AM, John McDaid <jmcdaid@torvex.com> wrote:

Hi, Mike...

Thanks very much for the quick response -- that's very helpful info.

Do I understand correctly that Portsmouth has no out-of-pocket costs on this? Could you provide information on the grant that's supporting this?

Best Regards.

-John

John G. McDaid
jmcdaid@torvex.com
harddeadlines.com
twitter: @jmcdaid

On Oct 4, 2013, at 9:11 AM, Michael Brown Co 546 <mibrown@bsamail.org> wrote:

The fees are correct on the website. However Portsmouth is grant funded through a grant that we received. Let me know if you have any further questions.

Mike Brown | Program Director

BOY SCOUTS OF AMERICA
Narragansett Council #546

P.O. Box 14777
East Providence, RI 02914
P 401.351.8700 x28 | F 401.351.5515 mbrown@narragansettbsa.org

-----Original Message-----

From: John McDaid [mailto:jmcdaid@torvex.com]
Sent: Friday, October 04, 2013 8:57 AM
To: Michael Brown Co 546
Subject: Media question about COPE school groups

Hi...

I'm a reporter looking for information about activities our local schools provide, and the Portsmouth Middle School appears to have an item on their upcoming calendar at your facility.

Have a question about the BSA COPE program provided to public school groups in Rhode Island. Are the fees that schools pay per student the same as those mentioned on the Narragansett BSA site (i.e., \$12/student?)

Thanks very much for any information you can provide.

Best Regards.

-John

John G. McDaid
jmcdaid@torvex.com
harddeadlines.com
twitter: @jmcdaid

Prince Charitable Trusts

Rhode Island

Selected Social Service Grants

Boy Scouts of America - Narragansett Council

2011: \$ 6,250 2010: \$6,000 2009: \$6,000

Project COPE for Aquidneck Island

Boys Clubs & Girls Clubs of Newport County Inc.

2011: \$35,000 2010: \$20,000 2009: \$20,000

General operating support

Child and Family Services of Newport County

 2011: \$35,000 for *Living Well in Newport*

2011: 35,000 for the Supportive Housing Program

 2010: \$25,000 to initiate *Living Well in Newport*
Dr. Martin Luther King, Jr. Community Center

2011: \$15,000 2010: \$20,000 2009: \$20,000

General operating support

East Bay Community Action Program

2011: \$20,000 2010: \$20,000 2009: \$20,000

General operating support

Home & Hospice Care of Rhode Island

2011: \$10,000 support for Palliative Care Consult Program at Newport Hospital

Hope Funds for Cancer Research

2011: \$10,000 fellowships for cancer research

Lucy's Hearth

2010: \$20,000 2009: \$25,000

General operating support

Meals on Wheels of Rhode Island

2011: \$15,000 2010: \$10,000 2009: \$10,000

For home deliveries on Aquidneck Island

The Miriam Hospital

2010: \$12,000 2009: \$20,000

For the Novice Nurse Internship Program

Newport Community School

2008: \$10,000 2009: \$10,000

General operating support

Newport Family & Child Opportunity Zone

2011: \$35,000 2010: \$25,000 2009: \$25,000



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Boy Scouts of America Statement

May 23, 2013

For more information, contact:

pr@scouting.org **The Boy Scouts of America Statement:**

"For 103 years, the Boy Scouts of America has been a part of the fabric of this nation, with a focus on working together to deliver the nation's foremost youth program of character development and values-based leadership training.

"Based on growing input from within the Scouting family, the BSA leadership chose to conduct an additional review of the organization's long-standing membership policy and its impact on Scouting's mission. This review created an outpouring of feedback from the Scouting family and the American public, from both those who agree with the current policy and those who support a change.

"Today, following this review, the most comprehensive listening exercise in Scouting's history the approximate 1,400 voting members of the Boy Scouts of America's National Council approved a resolution to remove the restriction denying membership to youth on the basis of sexual orientation alone. The resolution also reinforces that Scouting is a youth program, and any sexual conduct, whether heterosexual or homosexual, by youth of Scouting age is contrary to the virtues of Scouting. A change to the current membership policy for adult leaders was not under consideration; thus, the policy for adults remains in place. The BSA thanks all the national voting members who participated in this process and vote.

"This policy change is effective Jan. 1, 2014, allowing the Boy Scouts of America the transition time needed to communicate and implement this policy to its approximately 116,000 Scouting units.

"The Boy Scouts of America will not sacrifice its mission, or the youth served by the movement, by allowing the organization to be consumed by a single, divisive, and unresolved societal issue. As the National Executive Committee just completed a lengthy review process, there are no plans for further review on this matter.

"While people have different opinions about this policy, we can all agree that kids are better off when they are in Scouting. Going forward, our Scouting family will continue to focus on reaching and serving youth in order to help them grow into good, strong citizens. America's youth need Scouting, and by focusing on the goals that unite us, we can continue to accomplish incredible things for young people and the communities we serve."

Post vote press conference with BSA leadership.



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Frequently Asked
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Membership Policy Frequently Asked Questions

1. What is the BSA's current membership standards policy?

The BSA's membership policy is:

Youth membership in the Boy Scouts of America is open to all who meet the membership requirements. Cub Scouting, Boy Scouting, and Varsity Scouting are for boys. Venturing is for young men and young women. (Updated March 15)

The adult applicant must possess the moral, educational, and emotional qualities that the Boy Scouts of America deems necessary to afford positive leadership to youth. The applicant must also be the correct age, subscribe to the precepts of the Declaration of Religious Principle, and abide by the Scout Oath or Promise, and the Scout Law.

While the BSA does not proactively inquire about the sexual orientation of employees, volunteers, or members, we do not grant membership to individuals who are open or avowed homosexuals or who engage in behavior that would become a distraction to the mission of the BSA.

2. The BSA just reaffirmed its policy last summer. What changed?

In 2012, the organization's leaders determined that, at that time, the current policy was in the best interest of the organization. The decision to maintain the policy began a deep dialogue within Scouting. Out of respect for the diverse beliefs of Scouting's chartered organizations, the volunteer and professional leaders began a discussion about the issue.

3. What is the status of the membership policy review?

The BSA is engaging representatives of Scouting's membership and listening to their perspectives and concerns. Twice a year, the BSA distributes a Net Promoter Score survey called the Voice of the Scout. This is a regularly scheduled survey that goes to all leaders, parents, and youth over 14 years of age.

Beginning March 8, the BSA used this survey to ask questions about the membership standards policy (youth were not sent these questions). The BSA distributed approximately 1.1 million surveys to registered volunteers and Scouts' parents for whom it has email addresses and to approximately 325,000 alumni.

The results of the surveys, along with the committee's work, will be put into a larger report and will help inform the officers' work on a resolution regarding membership standards. The voting members of the National Council will take action on a resolution at the National Annual Meeting in May 2013. (Updated March 15)

4. How long will this review take?

The following are the phases the BSA will undertake, with the process being completed at the organization's National Annual Meeting at the end of May.

- **Planning**—The BSA defines the desired process and intended outcomes. (Feb. 6–28)
- **Listening**—The BSA's standing committees engage key stakeholders for input and develop a summary impact report. (March 1–April 5)

- **Evaluating**—The BSA's officers review the summary impact report and prepare a resolution for the consideration of the National Council voting members. (April 5–17)
- **Educating**—The report and resolution are shared with the voting members of the National Council. (April 18–May 24)
- **Deciding**—At its National Annual Meeting, the BSA conducts an on-site information session for registered participants on Wednesday, May 22, and voting takes place on Friday, May 24.
- **Implementing**—Regardless of the outcome, based on the resolution and vote, the BSA will determine and implement the appropriate next steps for the organization. (May 24–ongoing) (Updated March 15)

5. Who are the voting members of the National Council? Can I see a list?

The voting members of the National Council of the Boy Scouts are defined in the Boy Scouts of America's bylaws. Commissioned professionals do not vote. Members of the National Council eligible to vote include:

- Elected members of the National Executive Board and the chairman of the National Advisory Council and NESA president, and those registered youth members appointed by the president with the approval of the Executive Board (national Venturing president and national Order of the Arrow chief).
- Members of regional boards, which consist of regional executive committees, the area presidents, youth members appointed by the regional president to serve as members of the regional committee, and those members elected annually by the region.
- Local councils can elect National Council voting members based upon their Dec. 31, 2012, enrolled traditional youth membership (Cub Scouts, Boy Scouts, Varsity Scouts, and Venturers). These voting members are elected on the basis of one voting member to the National Council for every 5,000 youth members (NOT including Learning for Life participants or Explorers) and one additional voting member for a major portion thereof (2,501 or more).
- Local council presidents and local council commissioners are also National Council members and therefore eligible to vote.
- Members at large, who are elected by the National Council at its National Annual Meeting to serve for one year, and persons who become members of the national Administration and Finance Standing Committee, Council Operations Committee, Development Standing Committee, Human Resources Standing Committee, Information Delivery Standing Committee, Marketing Standing Committee, Outdoor Activities Standing Committee, Regional Presidents' Committee, and Supply Committee.
- The chairman of the National Advisory Council and the National Eagle Scout Association president.
- All National Council members (those eligible to vote) will receive notification and confirmation of their status on or before April 10.
- All National Council members will also receive notification of the voting process and directions no later than the end of April. (Updated March 15)

The names and addresses of all members of the Boy Scouts of America—including National Council members elected by the local council—are confidential, as mandated by the bylaws of the Boy Scouts of America, except where applicable state law may require otherwise.

6. How many voters are there?

Scouting is a volunteer organization, and individuals may hold multiple positions that are designated as National Council voting members. Each individual may vote only once, regardless of the number of voting positions that individual holds that are entitled to a vote. If one person holds more than one voting position, she or he may resign any other positions, thereby entitling a council to elect another individual who is entitled to vote.

If there is a National Council voting member vacancy, it should be filled by election at the next annual meeting of the local council. In the event that the next annual meeting occurs after May 24, 2013, the

local council executive board may appoint an individual to fill that vacancy until the next annual meeting of the council. All (voting) National Council members must have a valid and current membership in the Boy Scouts of America and will be credentialed by the National Council, indicating their right to participate and to vote at the annual business meeting of the National Council. Prior to the National Annual Meeting the number will be finalized and the national office will issue certificates of membership and voting credentials to all National Council voting members. Votes must be cast in person at the meeting and not by proxy.

7. Does a voter have to be present to vote?

Yes, a member must be present to vote.

8. How are the voting members being encouraged to vote? Do they have to represent their councils, or can they vote according to their beliefs?

As defined by the national and local council bylaws, local council representatives who are National Council (voting) members have a responsibility to represent the point of view of the local council. It is up to each council and each National Council voting member to determine how to fulfill these obligations in a manner that fulfills their responsibility to both the Boy Scouts of America and to their local council. Neither the local council bylaws nor the bylaws of the Boy Scouts of America set forth how the "point of view of the council" is to be determined.

The bylaws of the Boy Scouts of America do not specifically dictate how members of the National Executive Board, members of regional executive committees, or members at large are to vote, but given their role(s), the expectation is that they would vote based on their belief as to what is in the best interest of Scouting.

9. Has or will the Boy Scouts review(ed) the "Duty to God" standard?

No. The duty to God is absolutely explicit and one of the fundamental principles of the BSA. It remains the position of the Boy Scouts of America that the ideals and principles of "duty to God" and "reverence" set forth in the Scout Oath and Law—as expressed by the different faith beliefs of our members—are central to teaching young people to make better choices over their lifetimes. (Updated March 15)

10. What type of response did you receive from your membership about the potential policy change?

This discussion created an outpouring of feedback from the Scouting family and the American public, from both those who agree with the current policy and those who support a change. This feedback reinforced how deeply people care about Scouting and how passionate they are about the organization.

11. Is this discussion the result of pressure from outside organizations? Was the decision not to change the policy because of pressure it received from conservative organizations?

No. Scouting's guiding principle is to "Do what's best for the organization." It is clear that no single policy will accommodate all viewpoints on the issue. The BSA won't sacrifice its mission, or the youth served by the movement, by allowing the organization to be consumed by a single, divisive, and unresolved societal issue. The BSA believes that good people can personally disagree on this topic and still work together to achieve life-changing benefits to youth through the program.

12. Is the only reason for discussing this policy that the BSA no longer has legal protection to set membership standards?

No. The Supreme Court of the United States affirmed the Boy Scouts of America's right to set our own membership standards that the First Amendment guarantees the freedom of association. BSA's right to establish and maintain its own membership standards consistent with its fundamental principles remains the law. (Updated March 15)

13. Some people are upset with this conversation. Why should they continue to support



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Charter and Bylaws and Rules and Regulations of the Boy Scouts of America

Articles Related to Advancement

"Executive Board," below, refers to the National Executive Board of the National Council, Boy Scouts of America.

Article IX. Policies and Definitions—From the Charter and Bylaws

Section 1. Declaration of Religious Principle, clause 1. The Boy Scouts of America maintains that no member can grow into the best kind of citizen without recognizing an obligation to God. In the first part of the Scout Oath or Promise the member declares, "On my honor I will do my best to do my duty to God and my country and to obey the Scout Law." The recognition of God as the ruling and leading power in the universe and the grateful acknowledgment of His favors and blessings are necessary to the best type of citizenship and are wholesome precepts in the education of the growing members. No matter what the religious faith of the members may be, this fundamental need of good citizenship should be kept before them. The Boy Scouts of America, therefore, recognizes the religious element in the training of the member, but it is absolutely nonsectarian in its attitude toward that religious training. Its policy is that the home and the organization or group with which the member is connected shall give definite attention to religious life.

Section 1. Activities, clause 2. The activities of the members of the Boy Scouts of America shall be carried on under conditions which show respect to the convictions of others in matters of custom and religion, as required by the twelfth point of the Scout Law, reading, "Reverent. A Scout is reverent toward God. He is faithful in his religious duties. He respects the beliefs of others."

Section 1. Freedom, clause 3. In no case where a unit is connected with a church or other distinctively religious organization shall members of other denominations or faith be required, because of their membership in the unit, to take part in or observe a religious ceremony distinctly unique to that organization or church.

Section 1. Leaders, clause 4. Only persons willing to subscribe to these declarations of principles shall be titled to certificates of leadership in carrying out the Scouting program.

Article X. Program, Advancement—From the Rules and Regulations

Section 1. General Principles, clause 1. Education is the chief function of the Scouting Movement and it shall be the basis of the advancement program. A fundamental principle of advancement shall be that the boy's progress is a natural outcome of his activities in his unit. The rank requirements in these phases of the Scouting program, set forth in the official publications, shall furnish the basis of the activities of the unit.

(a) In Cub Scouting, recognition is earned in the home and the neighborhood by passing certain achievements related to simple skills, habits, ideals, and hobbies.

(b) In Boy Scouting, recognition is gained through leadership in the troop, attending and participating in its activities, living the ideals of Scouting, and proficiency in activities related to outdoor life, useful skills,

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<http://laws.findlaw.com/us/000/99-699.html>

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BOY SCOUTS OF AMERICA et al. v. DALE

certiorari to the supreme court of new jersey

No. 99-699. Argued April 26, 2000--Decided June 28, 2000

Petitioners are the Boy Scouts of America and its Monmouth Council (collectively, Boy Scouts). The Boy Scouts is a private, not-for-profit organization engaged in instilling its system of values in young people. It asserts that homosexual conduct is inconsistent with those values. Respondent Dale is an adult whose position as assistant scoutmaster of a New Jersey troop was revoked when the Boy Scouts learned that he is an avowed homosexual and gay rights activist. He filed suit in the New Jersey Superior Court, alleging, *inter alia*, that the Boy Scouts had violated the state statute prohibiting discrimination on the basis of sexual orientation in places of public accommodation. That court's Chancery Division granted summary judgment for the Boy Scouts, but its Appellate Division reversed in pertinent part and remanded. The State Supreme Court affirmed, holding, *inter alia*, that the Boy Scouts violated the State's public accommodations law by revoking Dale's membership based on his avowed homosexuality. Among other rulings, the court held that application of that law did not violate the Boy Scouts' First Amendment right of expressive association because Dale's inclusion would not significantly affect members' ability to carry out their purposes; determined that New Jersey has a compelling interest in eliminating the destructive consequences of discrimination from society, and that its public accommodations law abridges no more speech than is necessary to accomplish its purpose; and distinguished *Hurley v. Irish-American Gay, Lesbian and Bisexual Group of Boston, Inc.*, 515 U. S. 557, on the ground that Dale's reinstatement did not compel the Boy Scouts to express any message.

Held: Applying New Jersey's public accommodations law to require the Boy Scouts to admit Dale violates the Boy Scouts' First Amendment right of expressive association. Government actions that unconstitutionally burden that right may take many forms, one of which is intrusion into a group's internal affairs by forcing it to accept a member it does not desire. *Roberts v. United States Jaycees*, 468 U. S. 609, 623. Such forced membership is unconstitutional if the person's presence affects in a significant way the group's ability to advocate public or private viewpoints. *New York State Club Assn., Inc. v. City of New York*, 487 U. S. 1, 13. However, the freedom of expressive association is not absolute; it can be overridden by regulations adopted to serve compelling state interests, unrelated to the suppression of ideas, that cannot be achieved through means significantly less restrictive of associational freedoms. *Roberts*, 468 U. S., at 623. To determine whether a group is protected, this Court must determine whether the group engages in "expressive association." The record clearly reveals that the Boy Scouts does so when its adult leaders inculcate its youth members with its value system. See *id.*, at 636. Thus, the Court must determine whether the forced inclusion of Dale would significantly affect the Boy Scouts' ability to advocate public or private viewpoints. The Court first must inquire, to a limited extent, into the nature of the Boy Scouts' viewpoints. The Boy Scouts asserts that homosexual conduct is inconsistent with the values embodied in the Scout Oath and Law, particularly those represented by the terms "morally straight" and "clean," and that the organization does not want to promote homosexual conduct as a legitimate form of behavior. The Court gives deference to the Boy Scouts' assertions regarding the nature of its expression, see, *Democratic Party of United States v. Wisconsin ex rel. La Follette*, 450 U. S. 107, 123-124. The Court then inquires whether Dale's presence as an assistant scoutmaster would significantly burden the expression of those viewpoints. Dale, by his own admission, is one of a group of gay Scouts who have become community leaders and are open and honest about their sexual orientation. His presence as an assistant scoutmaster would interfere with the Scouts' choice not to propound a point of view contrary to its beliefs. See *Hurley*, 515 U. S., at 576-577. This Court disagrees with the New Jersey Supreme Court's determination that the Boy Scouts' ability to disseminate its message would not be significantly affected by the forced inclusion of Dale. First, contrary to the state court's view, an association need not associate for the purpose of disseminating a certain message in order to be protected, but must merely engage in expressive activity that could be impaired. Second, even if the Boy Scouts discourages Scout leaders from disseminating views on sexual issues, its method of expression is protected. Third, the First Amendment does not require that every member of a group agree on every issue in order for the group's policy to be "expressive association." Given that the Boy Scouts' expression would be burdened, the Court must inquire whether the application of New Jersey's public accommodations law here runs afoul the Scouts' freedom of expressive association, and

TITLE 37

Public Property and Works

CHAPTER 37-2

State Purchases

SECTION 37-2-7

§ 37-2-7 Definitions. – The words defined in this section have the meanings set forth below whenever they appear in this chapter, unless the context in which they are used clearly requires a different meaning or a different definition is prescribed for a particular section, group of sections, or provision:

- (1) "Business" means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other legal entity through which business is conducted.
- (2) "Change order" means a written authorization signed by the purchasing agent directing or allowing the contractor to proceed with changes, alterations, or modifications to the terms, conditions, or scope of work on a previously awarded contract
- (3) "Chief purchasing officer" shall mean: (i) for a state agency, the director of the department of administration, and (ii) for a public agency, the executive director or the chief operational officer of the agency.
- (4) "Construction" means the process of building, altering, repairing, improving, or demolishing any public structures or building, or other public improvements of any kind to any public real property. It does not include the routine maintenance or repair of existing structures, buildings, or real property performed by salaried employees of the state of Rhode Island in the usual course of their jobs.
- (5) "Contract" means all types of agreements, including grants and orders, for the purchase or disposal of supplies, services, construction, or any other item. It includes awards; contracts of a fixed-price, cost, cost-plus-a-fixed-fee, or incentive type; contracts providing for the issuance of job or task orders; leases; letter contracts; purchase orders; and construction management contracts. It also includes supplemental agreements with respect to any of the foregoing. "Contract" does not include labor contracts with employees of state agencies.
- (6) "Contract amendment" means any written alteration in the specifications, delivery point, rate of delivery, contract period, price, quantity, or other contract provisions of any existing contract, whether accomplished by unilateral action in accordance with a contract provision, or by mutual action of the parties to the contract. It includes bilateral actions, such as supplemental agreements, and unilateral actions, such as change orders, administrative changes, notices of termination, and notices of the exercise of a contract option.
- (7) "Contractor" means any person having a contract with a governmental body.
- (8) "Data" means recorded information, regardless of form or characteristic.

TITLE 28

Labor and Labor Relations

CHAPTER 28-5.1

Equal Opportunity and Affirmative Action

SECTION 28-5.1-10

§ 28-5.1-10 State contracts. – The division of purchases shall prepare any rules, regulations, and compliance reports that shall require of state contractors the same commitment to equal opportunity as prevails under federal contracts controlled by federal executive orders 11246, 11625 and 11375. Affirmative action plans prepared pursuant to those rules and regulations shall be reviewed by the state equal opportunity office. The state equal opportunity office shall prepare a comprehensive plan to provide compliance reviews for state contracts. A contractor's failure to abide by the rules, regulations, contract terms, and compliance reporting provisions as established shall be ground for forfeitures and penalties as established by the department of administration in consultation with the state equal opportunity office.

History of Section.

(P.L. 1988, ch. 149, § 1.)

United States Department of Labor

Office of Federal Contract Compliance Programs

Office of Federal Contract Compliance Programs (OFCCP)

Executive Order 11246, As Amended

— DISCLAIMER —

Executive Order 11246 — Equal Employment Opportunity

SOURCE: The provisions of Executive Order 11246 of Sept. 24, 1965, appear at 30 FR 12319, 12935, 3 CFR, 1964-1965 Comp., p.339, unless otherwise noted.

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

Part I — Nondiscrimination in Government Employment

[Part I superseded by EO 11478 of Aug. 8, 1969, 34 FR 12985, 3 CFR, 1966-1970 Comp., p. 803]

Part II - Nondiscrimination in Employment by Government Contractors and Subcontractors

Subpart A - Duties of the Secretary of Labor

SEC. 201. The Secretary of Labor shall be responsible for the administration and enforcement of Parts II and III of this Order. The Secretary shall adopt such rules and regulations and issue such orders as are deemed necessary and appropriate to achieve the purposes of Parts II and III of this Order.

[Sec. 201 amended by EO 12086 of Oct. 5, 1978, 43 FR 46501, 3 CFR, 1978 Comp., p. 230]

Subpart B - Contractors' Agreements

SEC. 202. Except in contracts exempted in accordance with Section 204 of this Order, all Government contracting agencies shall include in every Government contract hereafter entered into the following provisions:

During the performance of this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.
2. The contractor will, in all solicitations or advancements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.
3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting



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District Executive Position - Hartford, CT

Position: The Boy Scouts of America – District Executive Position**Position location:** Hartford, Connecticut**Council Website:** <http://www.ctrivers.org>

Since 1910, Scouting has helped mold the future leaders of this country by combining educational activities and lifelong values with fun. The Boy Scouts of America believes and understands that helping youth puts us on a path towards a more conscientious, responsible, and productive society.

Today's professional Scouters are a diverse group of men and women sharing a dynamic career offering independence, achievement, and stability. This is work that makes a difference, work that calls one to continual learning and challenge, work that offers solid compensation, benefits and advancement.

The District Executive selected will:

- Work with a volunteer board of directors and other community and business leaders to identify, recruit, train, guide, and inspire them to become involved in youth programs.
- Achieve progress towards specific goals and objectives which include: program development through collaborative relationships, volunteer recruitment and training, fundraising, membership recruitment and retention.
- Be responsible for extending programs to religious, civic, fraternal, educational, and other community-based organizations through volunteers.
- Secure adequate financial support for programs in assigned area. Achieve net income and participation objectives for assigned camps and activities.
- Recruit leadership for finance campaign efforts to meet the financial needs of the organization.
- Ensure that all program sites are served through volunteers, regular leader meetings, training events and activities.
- Collaborate with adult volunteers and oversee achievement of training for their respective role.
- Be a good role model and recognize the importance of working relationships with other professionals and volunteers. The executive must have communication skills and be able to explain the program's goals and objectives to the public.
- Provide quality service through timely communication, regular meetings, training events and activities.

FOLLOW



SCOUTS IN THE NEWS

10/3/2013 - Man set to finish cross-country fundraising walk in Oceanside

10/3/2013 - Boy Organizes Blood, Bone Marrow Drive for Sister's Fight Against Leukemia

5/7/2013 - Boys awarded for heroic action in house fire

4/15/2013 - Cub Scout lauded for saving diabetic mom

4/11/2013 - 10-year-old Boy Scout saves man's life

[More...](#)

- Have a willingness and ability to devote long and irregular hours to achieve council and district objectives.

Desired Skills:

- Strong marketing, fund-raising and program development background is highly desired.
- Non-profit, fundraising or sales experience is a plus.
- Must be comfortable with public speaking and interacting with diverse audiences. Excellent people skills, enthusiastic, punctual, responsible and creative.
- Self-motivated individual with solid time management skills and strong organizational skills in management, budgeting, and planning.
- Committed to personal and professional productivity, while maintaining high ethical and professional working standards.

Requirements:

- Must be willing to accept and meet the Boy Scout of America's leadership and membership standards and subscribe to the Scout Oath and Law.
- Bachelor's degree from an accredited college or university (transcript with the date degree conferred stated is required for employment).
- 21 years of age or older.
- Ability to work varied hours when necessary, evening activities and weekend work is frequently required to achieve positive objectives.
- Ability to travel for training at least once a year for one to two weeks.
- A Scouting background is helpful but not required for employment.
- Offers for employment are subject to criminal, reference and motor vehicle background checks.

Compensation:

The Boy Scouts of America is an equal opportunity employer. In addition to offering a competitive salary at \$39,000 the Boy Scouts of America offers benefits to include major medical, prescription coverage, dental, vision, life-insurance, long-term disability, accidental death, a defined benefit retirement plan, a supplemental retirement plan (thrift plan) plus compensation for authorized and approved business related expenses to include phone and mileage reimbursement. We also offer generous vacation policy and ten holiday observances.

How to apply:

Qualified candidates must submit cover letter and resume with salary history to mkogan@bsamail.org ✉ only the most qualified candidates will be contacted.

Additional information on a career as a District Executive can be found at this link:

<http://www.scouting.org/Careers/WorkingWithUs/EssentialSkills.aspx>

TITLE 16

Education

CHAPTER 16-38

Offenses Pertaining to Schools

SECTION 16-38-1.1

§ 16-38-1.1 Discrimination because of sex. – (a) Discrimination on the basis of sex is prohibited in all public elementary and secondary schools in the state and in all schools operated by the board of regents for elementary and secondary education. This prohibition shall apply to employment practices, admissions, curricular programs, extracurricular activities including athletics, counseling, and any and all other school functions and activities.

(2) Notwithstanding this prohibition, schools may do the following:

(i) Maintain separate restrooms, dressing, and shower facilities for males and females;

(ii) Conduct separate human sexuality classes for male and female students; and

(iii) Prohibit female participation in all contact sports provided that equal athletic opportunities which effectively accommodate the interests and abilities of both sexes are made available.

(3) Each local education agency shall designate an equal opportunity officer who shall be responsible for overseeing compliance with this section within the local education agency district.

(4) The board of regents shall designate an equal opportunity officer who shall be responsible for overseeing compliance with this section within schools operated by the board.

(5) The commissioner of elementary and secondary education shall be responsible for enforcing this section and is empowered to promulgate rules and regulations to enforce the provisions of this section.

(b) Discrimination on the basis of sex is prohibited in all public colleges, community colleges, universities, and all other public institutions of higher learning in the state which are operated by the board of governors for higher education. This prohibition shall apply to employment, recruitment, and hiring practices, employment benefits, admissions, curricular programs, extracurricular activities including athletics, counseling, financial aid including athletic grants-in-aid, student medical, hospital, and accident or life insurance benefits, facilities, housing, rules and regulations, research, and any and all other school functions and activities.

(2) Notwithstanding these prohibitions, schools may do the following:

(i) Maintain separate but comparable restrooms, dressing, and shower facilities for males and females, including reasonable use of staff of the same sex as the users of these facilities;

(ii) Provide separate teams for contact sports or for sports where selection for teams is based on

Exhibit 14

status of a student or applicant which treats persons differently on the basis of sex; Shall not discriminate against or exclude any person on the basis of pregnancy, childbirth, termination of pregnancy, or recovery therefrom, or establish or follow any rule or practice which so discriminates or excludes; Shall treat disabilities related to pregnancy, childbirth, termination of pregnancy, or recovery therefrom in the same manner and under the same policies as any other temporary disability or physical condition; and

- (4) Shall not make pre-admission inquiry as to the marital status of an applicant for admission, including whether such applicant is "Miss" or "Mrs." An educational institution may make pre-admission inquiry as to the sex of an applicant for admission, but only if such inquiry is made equally of both sexes and if the results of such inquiry are not used in connection with discrimination prohibited by this part.

2. Recruitment

An educational institution shall not discriminate on the basis of sex in the recruitment of students. Written materials or recruitment activities used by an educational institution to recruit students shall not contain references suggesting the predominance of one sex or preference for one sex,

DISCRIMINATION ON THE BASIS OF SEX IN EDUCATIONAL PROGRAMS AND ACTIVITIES PROHIBITED

1. Education Programs and Activities

(a) General

Except as provided elsewhere in these regulations, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, occupational training, or other education program or activity operated by a public educational institution.

(b) Specific Prohibitions

Except as provided elsewhere in these regulations, in providing any aid, benefits, or service to a student, an educational institution shall not, on the basis of sex:

- (1) Treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefits, or service;
- (2) Provide different aid, benefits, or services; or provide aid, benefits, or services in a different manner;
- (3) Deny any person any such aid, benefits, or service;
- (4) Subject any person to separate or different rules of behavior, sanctions or other treatment;
- (5) Discriminate against any person in the application of any rules or appearance;
- (6) Aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefits, or service to students or employees;
- (7) Otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

BUSINESS

3269

ACCEPTANCE OF GIFTS, GRANTS, AND DONATIONS TO THE DISTRICT

The School Committee or Administration (on behalf of the School Committee) may accept gifts, grants, donations, and legacies to the District. However, it is the policy of the School Committee that the giving of gifts to school personnel by pupils and patrons should be discouraged. Only those gifts that the School Committee deems consistent with the policies, programs, and the best interests of the District will be accepted.

Such gifts will be accepted in the name of the District and become the property of the District. Where installation is required, the gift will be installed by appropriate District personnel or by a contractor employed by the School Committee, unless other specific arrangements are approved by the School Committee. If an exterior site is necessary for the gift, the School Committee will prepare and maintain the site consistent with standards established by the School Committee and the Administration.

Whenever any grant, gift, donation, or legacy of real or personal property declares that such property will be held, managed, improved, invested, or otherwise disposed of for the use and benefit of the schools in the District or an individual attendance center, the title to such property will be vested in the School Committee for use in whatever manner the School Committee chooses.

The Superintendent shall be authorized to accept donated items on behalf of the School Department (equipment, buildings, technology, supplies, etc.) which have an estimated aggregated value of no more than \$5,000. Any items whose current value is determined to be in excess of \$5000 must be accepted by the School Committee at a regularly scheduled meeting. Any donations provided below the amount of \$5,000 dollars should be addressed in a cover letter to the Superintendent, explaining the intent and purpose of the donation. Prior to the acceptance of the donation, the Superintendent will consider the advisability of accepting it based on criteria including, but not limited, to the following:

- compatibility with district curriculum and teaching and learning practices;
- potential costs associated with the donation for reasons such as installation, providing appropriate space for and/or oversight of use, and ongoing maintenance.

Donations valued at more than \$5,000 must be authorized by the School Committee, and the same standards of review will apply. All donations become the sole property of the Portsmouth School Department.

However, when the person making such a grant, gift, donation, or legacy requests that it be used for a certain purpose, the School Committee will attempt to fulfill that request until it determines that it is no longer possible, practical, or prudent to do so.

ACCEPTANCE OF GIFTS, GRANTS, AND DONATIONS TO THE DISTRICT
(cont.)

When the School Committee officially accepts gifts for the School District, the Superintendent will write a letter of appreciation to the donor.

Policy Adopted: 11/86
Reviewed: 1992-1993
Policy Revised: 03/09, 2/12

Portsmouth School Department
Portsmouth, Rhode Island

STUDENTS

5210

FIELD TRIPS

It is the policy of the Portsmouth School Committee to encourage field trips that positively contribute to the academic curriculum.

The Superintendent shall delegate to the various school principals the responsibility for evaluating and approving same-day field trip proposals. This includes those trips to contiguous states. These may include all-class trips as well as special-interest trips such as those involving participation athletic events, Model UN, and other extra-curricular academic contests.

Students may be asked to pay all or part of the expenses of field trips as long as arrangements are made for the payment of trip expenses for pupils unable to do so. The ability to pay school sponsored trip expenses must not be a factor in determining participation in trips involving school time. Confidential arrangements shall be made by the appropriate principal to secure necessary funding in such circumstances.

All students participating in field trips shall have written permission from their parent(s) or guardian(s).

Overnight trips involving one or more nights away from home to contiguous states, non-contiguous states, and foreign countries, must be approved by the Superintendent and the School Committee in advance. Field trips involving one or more nights away from home will not be permitted for K-5 elementary school students.

Upon approval of the School Committee, special fundraising efforts may be permitted for the purpose of supplementing a school's field trip budget. Field trips that require extensive or more than one fundraising activity are discouraged.

Teachers shall submit requests to their principal for approval well in advance of the contemplated trip. The trip should supplement, not supplant, the regular school program for the class involved. The trip should have well-defined objectives and protocols for evaluating the trip.

The principal shall evaluate each request and approve those that meet the above criteria and for which bus transportation, if necessary, is available within budgetary allocations for the school.

Absent extraordinary circumstances, all travel shall take place by properly insured and licensed common carriers. In the discretion of the principal, for extraordinary reasons, students may be transported by their parents or guardians. Under no circumstances may students transport other students.

The principals and teachers supervising the trip shall ensure that for field trips involving students enrolled in Pre-Kindergarten through Grade 3, there shall be at least three adults

FIELD TRIPS (cont.)

for every twenty-four (24) students (1:8 ratio); one of whom shall be a teacher or school administrator. For field trips involving students in Grades 4 through 12, there shall be at least three adults for every thirty (30) students (1:10 ratio); one of whom shall be a teacher or school administrator. Exceptions to these guidelines where a higher chaperone to student ratio may be required are:

1. Trips where students with special needs are involved, or:
2. Where the field trip involves an overnight stay

Deviations from the standard 1:8 or 1:10 chaperone-to-student ratios stated above, for these noted exceptions, will be reviewed on a case by case basis by the building principal and the teacher involved.

For overnight trips involving students of both genders, both a male and female adult chaperone must be secured and identified before the field trip is approved.

The School Committee expects all students to be under the assigned adult supervision at all times when they are traveling under school auspices. School personnel and volunteer chaperones are expected to act as reasonable, prudent adults in providing the safety of their students in their charge.

Volunteer chaperones who have signed a waiver of liability and assumption of risk form may be used to assist school staff on field trips. All chaperones must be reviewed and approved by the Principal. All volunteers must comply with the Volunteer in Schools (VIS) guidelines which includes but is not limited to a BCI check.

Accommodations

All field trips must be in compliance with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA) and Chapter 42-87 of the General Laws of Rhode Island in that all field trips, sites, and transportation arrangements are reviewed in advance for accessibility, and all necessary arrangements and/or modifications are made in advance of the field trip.

Written assurances are required that all accommodations needed for students with disabilities to participate on field trips are pre-arranged prior to approval of the field trip. These accommodations include, but are not limited to, securing a wheelchair accessible bus, a wheelchair accessible venue, the provision of medications, the availability of adult support including a nurse when applicable. It is important to note that during high traffic field trip seasons, it is not always possible to secure a wheelchair accessible bus; therefore, this arrangement may need to be made well in advance. Accommodations must be available for all students eligible to attend a field trip with their peers.

FIELD TRIPS (cont.)**Non-School Sponsored Tours**

The School Committee recognizes that Portsmouth School Department staff may conduct non-district sanctioned trips during vacation periods; trips on which Portsmouth students participate. The School Committee takes no position on these activities over which it has no control. However, employees may not promote or otherwise engage in any activity relating to such trips during school time or using school facilities

Ref: R.I. General Law 16-21-7
IDEA Section 300 24
Section 504 of the Rehabilitation Act, Part 104.4(a)