



DATE POSTED:

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MEETING NOTICE

POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A §§18-25 and the Governor's March 12, 2020 Executive order

Marblehead School Committee

Name of Board or Committee

Address: Zoom Conference join via the web link or Dial in

Link:

<https://zoom.us/j/94466708263?pwd=MHhVT2JGRzYwbDUxb243WWNyNmD0UT09>

Dial in Phone # (415) 762-9988 with ID and follow prompts

Meeting ID: 944 6670 8263

Password: 548463

Thursday	February	4th	2021	7:00pm
Day of Week	Month	Date	Year	Time

Agenda or Topics to be discussed listed below (That the chair reasonably anticipates will be discussed)

I. Initial Business and Public Involvement

1. Call to Order
2. Commendations
 - a. Building Based Commendations-Glover School, Principal Brian Ota
 - b. School Committee Commendations
3. Student Representative – Dan Howells
4. Public Comment

II. Consent Agenda and Action Items

1. Minutes: 12/17/2020, 1/21/2021 (Vote)

III. Superintendent Report

1. Marblehead High School Program of Studies-2021-2022 Proposed Changes (Vote)
2. Pooled Testing Discussion (Vote)
3. Unit A Collective Bargaining Agreement (Vote)
4. 2019-2020SY Town Report Submission

IV. Finance Organizational Support

1. Schedule of Bills (Vote)
2. Pre-Kindergarten and Kindergarten Tuition-2021-2022 Recommendation (Vote)
3. Introduction to FY22 Draft Budget and Distribution of Draft Budget Notebooks

V. School Committee Communications and/or Discussion Items


1. School Name Discussion (Vote)
2. Review and Vote of Policies: (Vote)
 - IHAM - Health Education
 - IHAM-R - Health Education Exemption Procedure
 - IHAMA - Parent Notification Relative to Sex Education
 - IHAMB - Teaching About Alcohol, Tobacco & Drugs
 - FFA - Memorials
 - AC-Nondiscrimination
3. Mid-Year School Committee Protocols Check-In
4. Subcommittee and Liaison Updates
5. Building Project Update

VI. Closing Business

1. New Business (Not reasonably anticipated by the Chair 48 hours in advance of the meeting.)
2. Correspondence
3. Adjournment

THIS AGENDA IS SUBJECT TO CHANGE

Chairperson	<u>Sarah Gold</u>
Posted by	<u>Lisa Dimier</u>
Date	<u>1/29/2021</u>



Pool Surveillance Testing

Meaghan Kalpin, BSN, RN
Deanna McMahon, MSN, RN, NCSN



Pool Surveillance Testing - An Overview

DESE supporting a 6 week Program for pooled surveillance testing - Ending March 28, 2021

- Groups of student and staff organized into “pools” of 10-25 people
- Everyone in the pool gets a PCR test
- All samples are analyzed together as one PCR test
- If a pool result is positive then all people in that pool get retested with a rapid antigen test (BinaxNOW)
- In most cases, if a person’s rapid antigen test is negative, that person returns to school *
- If a person’s rapid antigen test is positive, that person follows all DPH isolation protocols and is contact traced.

*rapid antigen tests may need to be followed up with an additional outside PCR

Pool Surveillance Testing - An Overview

- The test is performed once per week on an anterior nasal swab (“short swab”)
- Samples will be administered by trained staff
- Students in certain age groups can take their own samples under trained staff supervision

Pooled Testing: Design

Testing service providers will manage the following:

- Delivery of tests to MPS
- Testing supplies (tubes, labels, etc.)
- Lab processing
- Technology software associated with pooled testing
- Training for school and district personnel
- Customer service / support for school and district personnel

Pooled Testing: Administration and Cost

What MPS is Responsible For:

- Coordination with DESE and direct administration of program and operations
- Manage all testing logistics, including overseeing test administration, data entry, software management, and getting completed tests to the laboratory
- All communication and education about the program
- Distributing and processing all consent forms
- Conducting follow up testing on positive pools
- Administering or supervising the specimen collection of students and staff
- Reporting any follow up testing done with BinaxNOW

Staff Needed:

- Testing healthcare professional - oversees the entire program and coordinates with our testing service provider (e.g. Nurse other than current school nurses or healthcare professional)
 - If external hire, will need to follow MPS hiring protocol (e.g. fingerprinting, etc)

Pool Testing: Administration and Cost

Example from a neighboring district's proposed cost

First Six Weeks - February 22 - March 29 (supported by DESE)

- Staff: \$29,000
- Testing supplies: Paid for by DESE
- Platform and Set Up: \$1,000

Total for 6 week Pilot = \$30,000

Subsequent Six Week Intervals (on our own)

- Staff: \$29,000
- Testing supplies: \$38,000 (\$6,333 per week)
- Platform: \$1,000

Total for each successive 6 weeks = \$68,000

MPS Vision for Implementation

- To participate in 6 week pilot program where costs are supported by DESE through March 28th
- Start with MHS and MVMS students and staff.
 - Highest number of cases
 - more likely to have transmission in older children
- Testing should occur Thursday and Friday after in person school. This will hopefully reduce the amount of time students will miss class, as they will need to **remain out of school until negative** pool results received. If pool is positive, they will **remain out of school until individual student receives negative BinaxNow antigen test***
- If needed, follow up antigen testing will occur in centralized location, ideally outdoors

*If all in a positive PCR pool, have negative BinaxNow rapid antigen test, they will require follow up outside PCR. They will not be permitted back in school until negative PCR result obtained.

Pool Testing: Where are We Now

- 1) Have submitted survey, statement of interest
- 2) Getting set up for BinaxNow Rapid Antigen Testing
 - Able to submit order today
- 3) Established that we have sufficient PPE for administration
- 4) Developed family and staff communications about program and consent forms

Next Steps:

- 1) Advertise for staffing
- 2) Getting set up for BinaxNow Rapid Antigen Testing
 - Await delivery of testing kits
 - Testing Healthcare Professional hire to be trained
- 3) Submit needed materials to get started with pool testing



MARBLEHEAD
PUBLIC SCHOOLS

9 Widger Road,
Marblehead, MA 01945
phone: 781.639.3140
fax: 781.639.3149

MEMORANDUM

TO: Marblehead School Committee
FROM: Michelle Cresta, Director of Finance
CC: John J. Buckey, Superintendent
DATE: February 3, 2021
RE: Kindergarten and Preschool Rates for School Year 2021-2022

As we prepare to begin accepting kindergarten and preschool registrations for the 2021-2022 school year, we are seeking approval of the tuition rates.

While we do not currently have any full day paying kindergarten students during the pandemic, last year we had 139 tuition paying full-day kindergarten students. Approximately 15% of those students received financial aid. The total revenue from the full day kindergarten program was expected to be approximately \$430,000 prior to COVID 19.

In the preschool program, we currently enroll 14 peer model tuition paying students. Due to COVID-19, all current paying students are in the half day program. The total expected revenue for the current year is \$35,000. Prior to COVID-19 we had 23 paying students with estimated revenue of \$85,000 and had a wait list for peer model students that we were not able to place.

As you have heard from Eric Oxford, Director of Student Services, at the previous school committee meeting, we are proposing changes to expand the hours and number of classes and programs for our preschool program for the 2021-2022 school year. We are anticipating with the proposed expanded preschool program that we will see approximately \$40,000-\$50,000 in additional preschool revenue and possibly another \$100,000-\$120,000 in Transitional Kindergarten revenue for the 2021-2022 school year.

We are requesting approval to establish the 2021-2022 school year tuition rates as follows:

Proposed Tuition Rates	
Full Day Kindergarten	\$ 3,500
Half Day Preschool	\$ 4,000
Full Day Preschool	\$ 6,000
Half Day Transitional Kindergarten	\$ 5,000
Full Day Transitional Kindergarten	\$ 7,000

Recommended Motion:

Motion to approve the 2021-2022 school year tuition rates at \$3,500 for full day kindergarten, \$4,000 for half day preschool, \$6,000 for full day preschool, \$5,000 for half day transitional kindergarten, and \$7,000 for full day transitional kindergarten.



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MEMORANDUM

TO: Marblehead School Committee
FROM: Michelle Cresta, Director of Finance
DATE: February 3, 2021
RE: Schedule of Bills for Approval

Included in this packet is the following Schedules of Bills for your consideration. The schedules and invoices have been uploaded to Dropbox and the required signatures have been obtained for each schedule.

Schedule	Amount
20467	\$ 39,597.96
20492	\$ 73,208.77
20506	\$ 48,921.89
20508	\$ 4,000.00
20509	\$ 4,052.13
20521	\$ 2,947,505.37
20522	\$ 293,013.93
Total	\$ 3,410,300.05

Suggested Motion:

Motion to approve the identified schedules of bills totaling \$3,410,300.05.

Memorandum:

Date: January 26, 2021
Prepared by: Catherine R. Martin,

Re: Reopening Committee purview

Sarah Gold Chair
Meagan Taylor Vice Chair
Sarah Fox
David Harris
Emily Barrone
Dr. John Buckey

Members of the School Committee and Dr. Buckey;

I am writing to you to share my concern with the role of the re-opening committee. My concerns are threefold.

The first concern is that the committee is operating outside of state open meeting laws. These meetings should be posted and public. The second concern is that this committee is now operating as a school committee sub-committee without having had the school committee vote on the members participating in the committee. The third concern is that this committee is usurping the role of the school committee by advising and consenting to school department policies that are the purview of the School committee.

Please see an excerpt from the Open Meeting Law Guide and Educational Materials:

Boards of selectmen and school committees (including those of charter schools) are certainly subject to the Open Meeting Law, as are subcommittees of public bodies, regardless of whether their role is decision-making or advisory. Individual government officials, such as a town manager or police chief, and members of their staff are not subject to the law, and so they may meet with one another to discuss public business without needing to comply with Open Meeting Law requirements. This exception for individual officials to the general Open Meeting Law does not apply where such officials are serving as members of a multiple-member public body that is subject to the law.

Please note the two sitting school committee members who sit on this committee do not allow this committee to be exempt from Open Meeting law because they serve as members of a multiple-member public body that is subject to this law.

Please note the committee members from the [Reopening Committee — Marblehead Public Schools \(backtogethermhd.com\)](https://backtogethermhd.com).

Committee Members: **John Buckey (Facilitator), Nan Murphy, Brian Ota, Mandy Murphy, Donna Zaeske, Sean Satterfield, Matt Fox, Dan Bauer, Joan Miller, Eric Oxford, Todd Bloodgood, Michelle Cresta, Kathleen Hennessey. Marblehead School**

Committee: Sarah Gold (Chair), Meaghan Taylor (Vice Chair). Marblehead Board of Health: Helaine Hazlett. Parents: Kate Haesche Thomson, Caroline Laramie, Stephanie Callahan. SEPAC: Scott Solberg. Students: Fiona Trimarchi, Sophie Hauck

The content of the minutes posted on the (backtogethermhd.com) clearly show that this committee is advising on policies that are not solely those of the superintendent but on shared policies with the School Committee. Which make the exemption to the Open meeting law not apply. (This is in addition to the fact that there are two school committee members on this committee).

Please see an excerpt from the Open Meeting Law Guide and Educational Materials:

Bodies appointed by a public official solely for the purpose of advising the official on a decision that individual could make alone are not public bodies subject to the Open Meeting Law. For example, a school superintendent appoints a five-member advisory body to assist her in nominating candidates for school principal, a task the superintendent could perform herself. That advisory body would not be subject to the Open Meeting Law.

The policies discussed during these re-opening committee meetings include the following, all within the School Committee purview and not isolated to the purview of the superintendent

They are policy's relating to but not limited to:

- Policy related to hiring new personnel for pool testing
- Policy's relating to In person/hybrid learning – presentation of a calendar of dates
- Policy's relating to Daily Attestation
- Policy's relating to running of athletic programs during Covid
- Policy's relating to the DESE pool testing program, as well as discussion an alternate testing strategy that has yet to be discussed in an open school committee meeting. (Note: the alternate testing strategy was not contained in the minutes but was discussed by a BOH member in an open public meeting and is now a public document).
- Policy's relating to remote days around February break

The School Committee has a health and safety subcommittee set up, this committee is set up as a sub-committee of the School Committee. That committee is able to operate within the confines of Open Meeting Laws, it could have all the same staff and parent involvement as the reopening committee. The School Committee members have voted individuals to run this committee. The discussions noted in the re-opening committee's notes are squarely in the wheelhouse of this committee and show an intentional usurping of School Committee protocols on sub-committees, policy and decision making as well as open meeting laws.

I ask that you review the state open meeting laws with respect to this committee and publicly rectify the situation and if the intent is for this committee to continue, the school committee needs to vote on its inception, identify its members and post the meetings publicly. Please enter this letter into the School Committees correspondence at the next meeting.

Thank you,
Catherine Martin



John Buckey <buckey.john@marbleheadschoools.org>

Re-opening Committee

John Buckey <buckey.john@marbleheadschoools.org>

Fri, Jan 29, 2021 at 11:29 AM

To: "Catherine Martin, RLA" <cmartin@develliszrein.com>

Cc: Sarah Gold <gold.sarah@marbleheadschoools.org>, Meagan Taylor <taylor.meagan@marbleheadschoools.org>, David Harris <harris.david@marbleheadschoools.org>, Emily Barrone <barrone@gmail.com>, Sarah Fox <fox.sarah@marbleheadschoools.org>

Dear Ms. Martin:

Thank you for your detailed January 26, 2021 memorandum raising concerns about the Reopening Committee and the Open Meeting Law. I certainly understand your viewpoint, but must respectfully disagree with the conclusion. The group was established by me and its membership was determined by me, including that the School Committee have representation. The School Committee's only role was to designate at my request the identity of that representation. The purpose of the group is to discuss with me and give me input on my numerous decisions as Superintendent implementing the District's reopening plan during the pandemic. Under the judicial decisions and rulings of the Attorney General interpreting the Open Meeting Law, we believe that these facts make the provisions of the law inapplicable.

As you know, the committee has numerous members from various groups, including administrators, teachers, parents, SEPAC, and public health. Its meetings are effective and involve a thorough vetting of ideas and thoughts as we stay abreast of this continuing pandemic. And I can assure you that I will be fully transparent regarding all actions and steps I take that result from this process.

John

TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS

In accordance with state and federal law, the District shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12.

The alcohol, tobacco, and drug prevention program shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs.

The objectives of this program, as stated below, are rooted in the Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision-making:

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the School Committee.

The District will administer in two grade levels a verbal screening tool to students for substance use disorders.

Parents will be notified of the screening beginning each year and may opt out by written notification to the District. Trained professionals will conduct screenings during school hours. All information is confidential and cannot be subject to discover or subpoena in any civil, criminal, legislative or administrative proceeding. No record of any pupil statements will be kept.

This policy shall be posted on the district's website and notice shall be provided to all students and parents in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

SOURCE: MASC March 2016

LEGAL REFS.: M.G.L. 71:1;71:96

CROSS REFS: GBEC, Drug Free Workplace Policy
JICH, Drug and Alcohol Use by Students

Marblehead Public Schools Approved 10/18/18



MARBLEHEAD PUBLIC SCHOOLS

Marblehead School Committee

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Sarah Gold
Chairman

Meagan Taylor
Vice Chairman

Emily Barron
Committee Member

David Harris Jr.
Committee Member

Sarah Fox
Secretary

From original: The Marblehead School Committee values and views as our top priority the academic, social and emotional success of all students in our district. We agree to thoughtfully seek and support solutions that will provide the greatest benefit to students

Who We Represent

1. We represent the educational and developmental needs and interests of all students in the district. We place their interests above all others in the decisions we make.

How We Govern

1. We acknowledge that a School Committee meeting is a meeting of the School Committee that is held in public – not a public meeting.
2. We shall conduct business through a set agenda that should be connected to district goals. Emerging items shall be addressed in subsequent meetings through planned agenda items unless it is determined by the School Committee Chairperson that it would be detrimental to delay the issue until a subsequent meeting.
3. Requests to add items to an agenda by members shall be made to the Superintendent or the School Committee Chairperson in accordance with the law.
4. We shall strive to make each meeting effective and efficient giving each member an equal opportunity to express their views and opinions and to relay their input in a concise and topic-focused manner. All remarks must be directed through the Chair. Remarks must be courteous in language and deportment.
5. We shall make decisions after considering data, the Superintendent's recommendations, proposals, and suggestions. We will engage in open-minded, respectful debate, vote our convictions, avoid bias, and uphold and support the decision of the majority of the Committee once a decision is made. We will explain the reasons for our votes.
6. We shall exhibit professional conduct and behavior.
7. We shall attend meetings well-prepared to discuss issues on the agenda and to participate in efficient decision-making.
8. When we are in committee we will remain in our committee member role throughout the meeting.
9. We shall ensure that we do not breach the open meeting laws by deliberating outside of duly convened meetings of the committee.
10. The School Committee welcomes respectful, thoughtful input from the public in shaping committee decisions. Public input at meetings may be made on items on the agenda, or otherwise at the discretion of the Chairperson.
11. We acknowledge the importance of subcommittees, and the Superintendent agrees to utilize them to focus on a specific topic in-depth and to prepare for presentation, deliberation and possible action by the full School Committee. We will agree on the appropriate School Committee participation on subcommittees.



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12. School Committee members will maintain privileged information and respect the confidentiality of Executive Session.
13. Our actions shall be consistent with the core values of the district, and be consistent with our vision of a high class organization.
14. School Committee meetings will be guided by the Open Meeting law and Roberts Rules of Order.
15. The Superintendent of Schools and such staff as are needed to advise the Committee shall be seated at the Committee table.
16. School Committee members will familiarize themselves with and uphold all district policies. Specifically policies relating to governance (BHC,BBAA,BIA,BHE,BCA,BDD).

How We Treat Each Other

1. We shall debate the issues keeping an open mind to other member's opinions and/or positions.
2. We shall work to build trust between and among School Committee members, the Superintendent and the Administration by treating everyone with dignity and respect, even in times of disagreement.

How We Communicate

1. It is the School Committee's responsibility to set a positive tone for the district.
2. The Superintendent and the School Committee recognize the importance of proactive communication. If School Committee members have questions or concerns, they agree to contact the Superintendent well in advance of a meeting. They agree that there will be no surprises.
3. We shall channel requests for information through the Superintendent rather than directly to district staff or Town officials. Town officials shall channel requests for information through the Superintendent for consideration by the School Committee.
4. We shall provide full disclosure of information and not withhold information from other members.
5. We shall advocate for the public schools and public education as ambassadors of the school system by promoting support for public education and spreading the news of our success. We shall always strive to project a positive image.
6. We recognize the Chairperson, or her/his designee, as the official spokesperson of the School Committee, including, but not limited to, legal counsel and official media requests.
7. The Superintendent and the School Committee recognize the importance of working collaboratively with the community to improve our schools and we shall actively seek ways to enlist community support for our efforts.



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Sarah Gold Chairman	Meagan Taylor Vice Chairman	Emily Barron Committee Member	David Harris Jr. Committee Member	Sarah Fox Secretary
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8. School Committee members acknowledge the importance of working collaboratively with town officials, but recognize when they attend meetings of other committees and boards they speak and act as individuals not for the committee as a whole and will disclose as such.
9. We will adhere to the MASC Social Media guidelines.

How We Will Improve

1. All new School Committee members will attend the MASC orientation session as soon as practicable, but within one year of being elected.
2. All members will be open to continued personal growth through participating in training opportunities in order to advance the work of our public schools.
3. We shall review and revise operating protocols annually through an annual workshop.
4. We shall develop and maintain a district new member orientation program.
5. We shall develop annual School Committee performance objectives, or goals, and appraise progress through regular self-evaluation.

What Are Our Limits of Authority

1. We shall exercise leadership in vision, planning, policy, budgeting, evaluation of the Superintendent of Schools, and advocacy of the district, consistent with the law and district policies.
2. It is the Superintendent's responsibility to oversee personnel issues and to manage the day-to-day operations of the district. It is the School Committee's responsibility to evaluate the superintendent's effectiveness in these matters.
3. We shall recognize that authority rests only with the majority decision of the School Committee and we shall not make any independent commitments or take any independent actions that may compromise the School Committee as a whole.
4. We shall follow the chain of command (Teacher, Principal, Superintendent) and direct others to do the same.
5. Complaints and concerns regarding personnel will be directed to the Superintendent.
6. We shall not use our positions for personal or partisan gain.
7. We shall refer any important questions or concerns received from members of the community to the Superintendent. The Superintendent, not any School Committee member has the authority to investigate. The Superintendent shall provide committee members with his/her response. It is not the role of the School Committee to resolve issues.



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What Happens When Things Go Wrong

1. We shall work together to clarify and restate discussions in order to strive for full understanding.
2. We recognize the importance of honoring our agreed upon operating protocols and we agree to take responsibility for reminding one another when we get off track.
3. We shall maintain fidelity to these commitments and will be held accountable by our fellow School Committee members should any of us fail to live up to these commitments. If a School Committee member or Superintendent violates any of the operating protocols, he/she will be referred to the Chairperson or in the case of the Chairperson to the Vice Chairperson.

Sarah Gold, Chair

Meagan Taylor, Vice Chair

Emily Barron

Sarah Fox

David Harris

Dr. John J. Buckey, Superintendent

NONDISCRIMINATION

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

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

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to Marblehead public school or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, **homelessness**, pregnancy or pregnancy related conditions or any other characteristic protected law.

The prohibition against discrimination includes a prohibition against harassment on the basis of the protected characteristics described in this policy. It shall be a violation of this policy for students or staff to harass other students or staff through the conduct defined below. Further, any retaliation against an individual who has reported, witnessed, or complained about prohibited conduct or retaliation against individuals who have provided information during an investigation into a complaint of prohibited conduct is similarly unlawful and will not be tolerated.

Unlawful and Prohibited Conduct Defined: Unlawful and prohibited conduct includes, but is not limited to, actions which are related to a person's race, color, sex, gender identity, religion, national origin, sexual orientation, disability, **homelessness**, pregnancy or pregnancy related condition when such actions are unwelcome and unsolicited by the recipient. Harassment based on these characteristics includes all conduct that:

1. has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive work or education environment;
2. has the purpose of substantially or unreasonably interfering with a person's work or academic performance; or

3. otherwise adversely affects a person's academic standing or employment opportunities.

Examples of prohibited conduct include, but are not limited to:

Verbal conduct: name calling, teasing, jokes or other derogatory or dehumanizing remarks, whether made by an individual or a group;

Physical contact: unwelcome touching of a person or person's clothing or any other act of physical intimidation or bullying;

Written conduct: notes, cartoons, calendars, graffiti, offensive or graphic posters, pictures, photos, drawings, electronic or digital messages, or designs on clothing that are offensive to another person on the basis of the protected characteristics described in this policy;

Blackmail: threatening to engage in conduct that is designed to, or reasonably can be expected to, harm another individual.

Retaliation: Retaliation includes any form of intimidation, reprisal, or harassment directed against an individual because he or she makes a complaint of discrimination or harassment under this policy, witnesses an incident of discrimination or harassment, or provides information during an investigation into a complaint of discrimination or harassment.

Any such conduct undertaken electronically, including through social media, messaging applications, or other cyber activity, is also prohibited. The foregoing is meant to provide some concrete examples, but is not meant to be an all inclusive list of conduct prohibited by this policy.

This policy applies to conduct on all school premises, on school buses, and at all school-sponsored programs and activities. Any prohibited conduct that occurs off school premises or outside of school-related or school-sponsored programs or activities will be regarded as conduct in violation of this policy if it has a continuing effect on or creates a hostile environment for the victim of the conduct on school premises, on school buses, or at school-sponsored programs and activities.

Please note that while this policy sets forth the Marblehead Public Schools' goals of promoting a workplace and school environment that is free of discrimination and harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace or school conduct which the District deems unacceptable, regardless of whether that conduct satisfies the definition of unlawful and prohibited conduct set forth in this policy.

Anyone who has a complaint or feels that they have been discriminated against or harassed in violation of this policy, should raise a complaint by following the procedure in section AC-R. Anyone who has a complaint of sexual harassment should raise a complaint by following the procedure in section ACAB. Any staff member who becomes aware of an incident of discrimination or harassment in violation of this policy is obligated to report the incident by following the procedure in section AC-R (and may also have mandatory reporting obligations under M.G.L. c. 119, § 51A).

The Chair of the School Committee is responsible for receiving complaints and reports of violations by the Superintendent. Depending on the nature of the allegations, the complaint procedures and alternative complaint procedures provided for in policy ACAB and policy AC-R will be followed.

Inquiries concerning the application of each of the aforementioned statutes and their implementing regulations to the District may be referred to:

Philip McManus
Assistant Principal, Veterans Middle School
217 Pleasant Street, Marblehead, MA 01945
(781)639-3120

Michele Carlson
Assistant Principal, Marblehead High School
2 Humphrey Street, Marblehead, MA 01945
(781) 639- 3100

or to the U.S. Department of Education, Office for Civil Rights, at (617) 289-0111, or 5 Post Office Square, 8th Floor, Boston, MA 02109

SOURCE: MASC

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of 1972
Title IX, Education Amendments of 1972
Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
M.G.L. 71B:I et seq. (Chapter 766 of the Acts of 1972)
M.G.L. 76:5; Amended 2011
M.G.L.76:16
BESE regulations 603CMR 26.00 Amended 2012
BESE regulations 603CMR 28.00

CROSS REFS.: ACA- AC-R, Subcategories for Nondiscrimination
GBA, Equal Employment Opportunity
JB, Equal Educational Opportunities

PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

In accordance with General Laws Chapter 71, Section 32A, the Marblehead School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the courses and curriculum we offer that primarily involve human sexual or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If planned curricula change during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy, and will inform parents/guardians that they may:

1. Exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexual issues, without penalty to the student, by sending a letter to the school Principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.
2. Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable. Parents/guardians may arrange with the Principal to review the materials at the school and may also review them at other locations that may be determined by the Superintendent of Schools.

A parent/guardian who is dissatisfied with a decision of the Principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Superintendent for review of the issue. The Superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request. A parent/guardian who is dissatisfied with the Superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision, preferably within four weeks of the request. A parent/guardian who is still dissatisfied after this process may send a written request to the Commissioner of Education for review of the issue in the dispute.

The Superintendent of Schools will distribute a copy of this policy to each Principal by September 1 of each year.

REF.: Department of Education

SOURCE: MASC/Marblehead

**HEALTH EDUCATION
(Exemption Procedure)**

The Marblehead Public Schools will furnish a standardized exemption document to all parents/guardians at the time that notice (IHAM-E-1) of the proposed sex education curriculum is sent home. This exemption document (IHAM-E-2) will contain the dates and topics of the proposed curriculum.

Exemption will be granted from a specific portion of health education curriculum on the grounds that the material taught is contrary to the religious beliefs and/or teachings of the student or the student's parent/guardian.

A request for exemption must be submitted in writing to the Principal in advance of instruction in that portion of the curriculum for which the exemption is requested. The request must state the particular conflict involved.

The Principal will confer with the teacher to determine the length of time a student will be exempt. The teacher will develop an alternative activity for which the student will receive credit.

The Principal will inform the parent/guardian of disposition of the request within a reasonable number of school days of receipt of the request.

LEGAL REF.: M.G.L. 71:1

SOURCE: MASC/Marblehead

HEALTH EDUCATION

Good health depends upon continuous life-long attention to scientific advances and the acquisition of new knowledge.

The School Committee believes that the greatest opportunity for effective health education lies within the public schools because of their potential to reach children at the age when positive, lifelong health habits are best engendered and because the schools are equipped to provide qualified personnel to conduct health education programs.

The School Committee is committed to a sound, comprehensive, research-based health education program as an integral part of each student's general education. **Health education will be taught as a district academic discipline across the curriculum.**

The health education program will emphasize a contemporary approach to the presentation of health information, skills, and the knowledge necessary for students to understand and appreciate the functioning and proper care of the human body. Students also will be presented with information regarding complex social, physical and mental health problems, which they might encounter in society. In an effort to help students make intelligent choices on alternative behavior of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger school-community environment.

In order to promote a relevant, dynamic approach to the instruction of health education, the School Committee will continue to stress the need for curricular, personnel, and financial commitments that are necessary to assure the high quality of the system's health education program.

SOURCE: MASC October 2016

LEGAL REF.: M.G.L. 71:1