



## **MEETING NOTICE**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF MGL 30A § 20 Act relative to extending certain COVID-19 measures adopted during the state of emergency

### **Marblehead School Committee**

Name of Board or Committee

**Address:** 40 Baldwin Road Marblehead MA 01945

**Room:** Conference Room and cafeteria or Zoom conference join via the web link or dial in

**Link:** <https://marbleheadschoools-org.zoom.us/j/92276644630?pwd=b3ZPOHFTdk0vUEsxK2dteTJtSVlaZz09>

**Meeting ID:** 92276644630

**Password:** 616604

**Dial in Phone #** 1 646 558 8656

<b>Tuesday</b>	<b>July</b>	<b>19</b>	<b>2022</b>	<b>9:00am</b>
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
  - a. Call to Order
  - b. Public Comment
- II. Teaching and Learning Update – Nan Murphy
- III. Open Meeting Law and Public Record Presentation - Attorney Colby Brunt
- IV. Zero Based Budget Process Presentation – Michelle Cresta
- V. Schedule of Bills VOTE
- VI. User and Lunch Fees VOTE
- VII. Lunch Break
- VIII. Finalize Massachusetts Association of School Committees (MASC) Conference Attendees
- IX. Subcommittee and Liaison assignments
- X. School Committee Stipend Positions and Streaming Meeting discussion
- XI. Superintendent Goal Setting and Evaluation Presentation and Discussion - Massachusetts Association of School Committees (MASC) Massachusetts Association of School Superintendents (MASS)
- XII. Strategic Plan discussion

XIII. Closing Business

- a. New Business
- b. Correspondence
- c. Adjournment

Please note the in person meeting will not be suspended or terminated if technological problems interrupt the remote connection or if the State of Massachusetts does not extend the provisions of **MGL 30A § 20 Act**

**THIS AGENDA IS SUBJECT TO CHANGE**

Chairperson: Sarah Fox  
Posted by: Sarah Fox  
Date: 7.14.22

# Open Meeting Law, Public Records and Conflict of Interest Laws for School Committee Members

Marblehead Public Schools  
July 19, 2022

Presented by Colby C. Brunt

## **I. OPEN MEETING LAW**

### **Overview**

The Massachusetts Open Meeting, or “OML” applies to public bodies at the state, county, and local levels. In general, the Law requires that all meetings of such entities be open to the public, that notice of such meetings be publicly posted, and that accurate records of the meetings be maintained and made available to the public. (See attached Open Meeting Law Guide and Educational Materials).

The overriding intent of the Law is to foster and, in fact, require open discussion of governmental action. However, the Law does recognize that public officials might be "unduly hampered" if all discussions by public officials were required to take place in public. As a result, it identifies specific circumstances, often referred to as "exemptions," in which the governmental body may meet in a closed or “executive” session. These exemptions are limited in number and narrow in scope. Indeed, the Supreme Judicial Court has held that the exemptions to the Open Meeting Law must be strictly construed and narrowly applied in order not to frustrate the “legislative purpose” of openness.

Within two weeks of a member’s election or appointment to a public body or the taking of the oath of office, whichever occurs later, the member must complete a Certificate of Receipt of Open Meeting Law Materials certifying that he/she has received the materials, and that they understand the requirements of the Open Meeting Law and the consequences for violating it. The certification must be retained where the body maintains its official record.

### **What Entities Are Covered?**

**Public body:** Includes essentially every multiple member board, commission, and committee of state government or any county, district, city, region or town. (Exceptions include but are not limited to the legislature and its committees and bodies of the judicial branch.)

**Subcommittees:** The Law also covers subcommittees appointed by a public body. This includes not only subcommittees comprised of the parent public body's members, but also subcommittees or special purpose committees that may include individuals who are not members of the parent body, so long as the subcommittee or special purpose committee is carrying out delegated functions or responsibilities of the parent body, including simply serving in an advisory role.

**Single members:** A single member of a governmental body cannot comprise a "subcommittee" of the same governmental body. Pearson v. Board of Selectmen of Longmeadow, 49 Mass. App. Ct. 119, 124 (2000).

Administrative meetings: Staff meetings called by administrative personnel are not "public bodies." Where an administrator appoints a group of administrators or citizens to provide advice on a matter within that individual administrator's own responsibilities, the group is generally not a public body.

### **What Constitutes a Meeting?**

A meeting for the purposes of the OML is defined as a "deliberation by a public body with respect to any matter within its jurisdiction." A deliberation is "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction."

Quorum: A quorum is defined as a simple majority of the body unless otherwise defined by applicable constitution, charter, rule, or law.

Subcommittees: Deliberation by a public body's subcommittee, which is itself a public body, is subject to the Law if a quorum of the subcommittee is present, even if that quorum is not sufficient to constitute a quorum of the parent public body.

Remote Participation: The OML was silent on the matter of remote participation until July 1, 2010. It now states as follows:

The attorney general may by regulation or letter ruling, authorize remote participation by members of a public body not present at the meeting location; provided, however, that the absent members and all persons present at the meeting location are clearly audible to each other; and provided, further, that a quorum of the body, including the chair, are present at the meeting location...

Serial Discussions: District Attorneys and the Attorney General have long opined that even individual communications involving a quorum that occur in serial fashion may be considered to constitute a "deliberation" and thus a meeting. Similarly, "revolving door" meetings, in which a quorum of members participate in serial fashion, are meetings under the Open Meeting Law and must comply with all the Law's requirements. Private communications regarding public business involving a quorum can violate the Law regardless of the knowledge or intent of the parties.

Exception for housekeeping matters: The Open Meeting Law specifically excludes certain housekeeping matters from the definition of "deliberation," including the distribution of a meeting agenda, scheduling or procedural information or reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed.

Other Exceptions: The Open Meeting Law specifically excludes the following from the definition of meeting:

- (a) an on-site inspection of a project or program, so long as the members do not deliberate;
- (b) attendance by a quorum of a public body at a public or private gathering, including a conference or training program or a media, social or other event, so long as the members do not deliberate;
- (c) attendance by a quorum of a public body at a meeting of another public body that has complied with the notice requirements of the open meeting law, so long as the visiting members communicate only by open participation in the meeting on those matters under discussion by the host body and do not deliberate;
- (d) a meeting of a quasi-judicial board or commission held for the sole purpose of making a decision required in an adjudicatory proceeding brought before it (limited state agencies or others subject to M.G.L. c. 30A); or
- (e) a session of a town meeting convened under section 10 of chapter 39 which would include the attendance by a quorum of a public body at any such session.

#### **Posting of Meetings**

When: The meeting must be posted at least 48 hours in advance, excluding Saturdays, Sundays and legal holidays. (Prior to 7/1/10, Saturdays were included.)

Contents: The meeting notice must be printed in easily readable type, and contain the date, time, and place of the meeting and a listing of the topics the chair reasonably anticipates will be discussed at the meeting. In the event the body intends to discuss topics that come up within the 48-hour period before the posting, the Attorney General's Office has encouraged public bodies to make a revised list of such topics available to the public in advance, even though not specifically required by the OML.

Where: For meetings of a local public body, notice must be filed with the municipal clerk and "posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located." (The "all hours" requirement is new, effective 2010).

Emergency Meetings: When there is a need for an emergency meeting making the 48-hour posting impossible, the public body must post as soon as reasonably possible prior to such meeting. The courts have generally viewed "emergencies" for the purpose of the OML as dire circumstances such as the imminent collapse of a building.

## Executive Sessions

The OML recognizes ten grounds upon which a public body may enter an executive session. They are:

1. To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual. (Emphasis added)<sup>1/</sup>
2. To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel;<sup>2/</sup>
3. To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares (emphasis added)<sup>3/</sup>;
4. To discuss the deployment of security personnel or devices, or strategies with respect thereto;

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<sup>1/</sup> When a public body holds an executive session under exemption (1), i.e., to discuss an individual's reputation, character, physical condition or mental health, or to consider disciplinary sanctions against an individual, the Open Meeting Law affords the individual concerned rights: 1. to receive written notice at least forty-eight hours in advance of the proposed executive session; and 2. to request that the meeting be open rather than closed, a request that must be granted. If held in executive session the individual has the following rights: 1. to be present during deliberations which involve that individual; 2. to have counsel or a representative of his own choosing present and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session; 3. to speak on his own behalf; and 4. to cause an independent record to be created of the executive session by audio-recording or transcription, at the individual's expense.

<sup>2/</sup> Note that while a public body is permitted to conduct contract negotiations in executive session and even reach agreement on the terms, the public body must then ratify any terms agreed upon in open session, particularly for contracts with nonunion personnel. (See, e.g., Attorney General Ruling OML - 2011-15 (May 4, 2011) and Gelinas v. Town of South Hadley (Superior Ct. #10-129 (May 2011) and Attorney General FAQ.)

<sup>3/</sup> The District Attorneys and Attorney General have previously advised that discussions relating to proposed litigation are not covered by this exemption unless that litigation is clearly and imminently threatened. Litigation is not necessarily "imminently threatened" simply because a person is represented by counsel and supports a position adverse to the governmental body's position. Nor does the fact that a newspaper reports that a party has threatened to sue mean imminent litigation.

5. To investigate charges of criminal misconduct or to consider the filing of criminal complaints;
6. To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body;
7. To comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements;
8. To consider or interview applicants for employment or appointment by a preliminary screening committee if the chair declares that an open meeting will have a detrimental effect in obtaining qualified applicants; provided, however, that this clause shall not apply to any meeting, including meetings of a preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening; (emphasis added)
9. To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that: (i) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and (ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session; or
10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information provided in the course of activities conducted by a governmental body as an energy supplier. . .

#### **Procedures for Convening an Executive Session**

**Notice:** No executive session may be held unless and until an open meeting of the governmental body, for which a proper posting was made, has first convened. (When an executive session is reasonably anticipated, the meeting agenda should list the executive session, including as much information as may be revealed without compromising the purpose for which the executive session is to be called.)

**Convening:** Once an open meeting has been duly convened, a proper executive session may then convene only after a majority of the members of the governmental body vote to go into the session. The vote of each member must be recorded on a roll call vote and entered in the minutes of the meeting. Prior to the vote, the presiding officer:

- (1) must cite for the record the purpose (or purposes if there are more than one) of the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called. (If proceeding under exemptions 3 (bargaining/litigation) or 8 (candidate interviews), the chair must also declare the detrimental effect.)<sup>4/</sup>
- (2) must state whether the governmental body will reconvene in an open meeting after the executive session is over.

Minutes of Executive Sessions: As with all meetings, minutes or an equivalent record of every executive session must be kept. All votes must be recorded roll call votes.

### **Records and Minutes of Meetings**

The Open Meeting Law (as well as the Public Records Law, G. L. c. 66, §§ 5A) requires every public body to maintain accurate minutes of all its meetings.

Content: At a minimum, minutes must set forth the following:

The date, time and place, the members present or absent,

A summary of the discussions on each subject. A verbatim record of discussions is not required.

A list of documents and other exhibits used at the meeting. (NEW as of July 1, 2010.)<sup>5/</sup>

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<sup>4/</sup> See District Attorney for Northern Dist. v. School Committee of Wayland, 455 Mass. 561, 567 (Mass. 2009) (“[a] precise statement of the reason for convening in executive session is necessary under the open meeting law because that is the only notification given to the public that the school committee would conduct business in private, and the only way the public would know if the reason for doing so was proper or improper”).

<sup>5/</sup> Documents and other exhibits, such as photographs, recordings or maps, used by the body at an open or executive session must, along with the minutes are to be considered part of the official record of the session. However, under a provision in the 2010 amendments intended to blend Open Meeting Law and personnel file exemption of Public Records Law, the following materials are exempt from disclosure to the public as personnel information: (1) materials used in a performance evaluation of an individual bearing on his professional competence, provided they were not created by the members of the body for the purposes of the evaluation; and (2) materials used in deliberations about employment or appointment of individuals, including applications and supporting materials; provided, however, that any resume submitted by an applicant shall not be exempt.

The decisions made and the actions taken at each meeting, including the record of all votes. (Votes in an executive session must be by roll call and recorded as such.)

Release: Both the Open Meeting Law and the Public Records Law include provisions that pertain to the release of minutes of meetings convened by governmental bodies. In general, the minutes of a meeting become public records from the moment they are created. This is true regardless of the form in which they may first appear. The governmental body may not require that it vote to adopt or approve for release open session minutes before they may be released to the public, even though the minutes may be only in draft form at the time of the request. The Public Agency must provide access to the minutes within ten (10) days of a request.

Release of Executive Session Minutes: The minutes or record of every executive session become public records from the moment they are created; however, such minutes "may remain secret as long as publication may defeat the lawful purposes of the executive session, but no longer." Public bodies are required to periodically review their executive session minutes to determine whether continued non-disclosure is warranted.

### **Public Participation**

Recordings: Except when a meeting is held in executive session, any person in attendance may record the meeting so long as no active interference with the conduct of the meeting arises as a result of the recording. The Law also allows any person attending an open meeting of a municipal or district governmental body to videotape the meeting from one or more fixed locations as determined by the governmental body, so long as there is no active interference with the meeting.

Because secret recordings of oral communications may violate the wiretap law, G.L. c. 272, § 99, it has long been reasonable to expect that a person recording a public meeting should advise the chairperson in advance that he or she will be electronically recording the meeting. However, effective 7/1/10, the Open Meeting Law specifically requires the recorder to notify the chair, who is then responsible for notifying the participants and attendees.

Participation: Although any member of the public may attend an open meeting, the individual is permitted to address the public body only with the permission of the chair. If a person becomes disruptive and remains so even after clear warning, the chair may direct the

person to leave the meeting and may authorize a constable or other officer to remove the person if needed.<sup>6/</sup>

### **Enforcement**

The Attorney General is responsible for enforcement and interpretation of the OML for all public bodies. The process for filing and responding to a complaint is as follows:

#### **Step 1. Filing a Complaint with the Public Body**

Individuals who allege a violation of the Open Meeting Law must first file a complaint ***with the public body*** within 30 days of the date of the violation, or the date the complainant could reasonably have known of the violation. The complaint must be filed on a complaint form available on the Attorney General's website. When filing a complaint with a local public body, the complainant must also file a copy of the complaint with the municipal clerk.

#### **Step 2. The Public Body's Response**

Upon receipt, the chair of the public body should distribute copies of the complaint to the members of the public body for their review. The public body has 14 business days from the date of receipt to review the complainant's allegations, take remedial action if appropriate, notify the complainant of the remedial action, and forward a copy of the complaint and description of the remedial action taken to the Attorney General. While the public body may delegate responsibility for responding to the complaint to counsel or another individual, it must first meet to do so.

The public body may request additional information from the complainant. The public body may also request an extension of time to respond to the complaint. A request for an extension should be made within 14 business days of receipt of the complaint by the public body. The request for an extension should be made in writing to the Attorney General's office and should include a copy of the complaint and state the reason for the requested extension.

#### **Step 3. Filing a Complaint with the Attorney General's Office**

A complaint is ripe for review by the Attorney General 30 days after the complaint is filed with the public body. This 30-day period is intended to provide a reasonable opportunity for the complainant and the public body to resolve the initial complaint. Complaints are ***not*** automatically treated as filed for review by the Attorney General upon filing with the public

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<sup>6/</sup> School committees are not obligated to provide a public comment period. However, if such period is provided, any restrictions must be narrowly tailored to serve a legitimate public interest if they are to survive a First Amendment challenge. (See *Corey Spaulding & Another v. Town of Natick School Committee and Others* (MA Superior Court November 21, 2018) holding that a school committee policy prohibiting "improper conduct and remarks. . .defamatory or abusive remarks. . . and personal complaints" during the public comment period violated the First Amendment.)

body. A complainant who has filed a complaint with a public body and seeks further review by the Division of Open Government must file the complaint with the Attorney General after the 30-day local review period has elapsed but before 90 days have passed since the date of the violation or the date that the violation was reasonably discoverable.

If a violation has occurred, the Attorney General has wide latitude in enforcement of the law including imposing any of the following:

1. Require immediate and future compliance with the law;
2. Require training;
3. Nullify an action taken by the Board in an unlawful meeting;
4. Impose a civil penalty of \$1000 (or less) against the Board for intentional violations;
5. Reinstate an employee without loss of compensation, seniority, tenure or benefits;
6. Require minutes and other materials to be available for public review;
7. Prescribe any other appropriate action.

#### **Examples of Attorney General Determinations**

Since July 2010, the Division of Open Government, office of the Attorney General (AG) has issued many determinations arising from complaints filed against various governmental agencies in Massachusetts. These may be found at the Attorney General's website, [www.mass.gov/ago/openmeeting](http://www.mass.gov/ago/openmeeting). The following are examples that illustrate the AG's application of the OML that should be of interest to school committee members.

**OML 2012-93.** Even a way-one email can constitute a prohibited "deliberation": The AG noted that "deliberation" is defined as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction; provided, however, that 'deliberation' shall not include the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed." The AG further stated that expression of an opinion on matters within the body's jurisdiction to a quorum of a public body is deliberation, even if no other public body member responds.

In this case, the Co-Chair of the Building Committee sent an email to 10 of the 11 members of the Committee, attaching a presentation and requesting comments. The email was sent to a quorum of the Committee, and the subject matter - opposition to a Town Meeting article - was clearly public business within the Committee's jurisdiction, as the Committee had been charged with overseeing the construction of the school building at issue in the petitions. Thus, the email constituted unlawful deliberation and the Co-Chair's actions constituted an individual violation of the Open Meeting Law. Notably, the AG declined to find a

violation by the Committee as a whole because there was no evidence that any Committee member responded to a quorum of the Committee.

**OML 2012-41. Subcommittees must keep adequate minutes:** In this case, a School Committee's negotiations subcommittee (NSC) properly met in executive session for more than three hours. The AG described that the OML requires minutes to contain a summary of the discussion of each subject. However, they do not need to be a transcript of the meeting nor identify each speaker, "so long as a member of the public can read the minutes and understand from the summary the nature of the discussion and how the public body arrived at its decisions." The AG found that the minutes from the NSC's meeting, stating as follows, clearly fell short of this standard:

The [Union] presented the NSC with a proposal. The NSC discussed the elements of the proposal and made a counter-offer to the Union. The [Union] was disappointed in the counter-offer. The NSC continued to discuss the strategy of the counter-offer.

The AG found that a member of the public "cannot read those few sentences and understand what occurred over the course of the three- and one-half-hour meeting. The minutes should include details of the NTSC's proposal, the counter-offer, the Union's concerns, and the discussion of strategy."

**OML 2012-66. The posted agenda must be specific and contracts must be ratified in open session:** Here the AG found that a School Committee's information included about an executive session listed on the posted agenda was insufficient. The AG stated that a topic is generally determined to include sufficient specificity "when a reasonable member of the public could read the topic and understand the anticipated nature of the public body's discussion." The AG further noted that for an executive session notice, the chair must "state the purpose for the executive session, stating all subjects that may be revealed without compromising the purpose for which the executive session was called." In this instance the School Committee notice indicated that there would be an executive session "for the purpose of discussing contract negotiations with non-union personnel," but did to specify that the contract being discussed was that of the Superintendent. These meeting notices therefore fell short of the requirement that the Committee state "all subjects that may be revealed without compromising the purpose for which the executive session" will be called.

The AG further found that although negotiation of the Superintendent's contract was an appropriate subject for executive session, once the negotiations concluded, the Committee violated the OML by then failing to return to open session to vote on the contract

**OML 2012-111. Only topics reasonably anticipated must be posted:** In this case, the complaint alleged that the School Committee had violated the OML by considering a motion that had not been posted on the agenda. The AG noted that a meeting notice must be posted 48 hours before a meeting and contain "the date, time and place of such meeting and a listing

of topics that the chair reasonably anticipates will be discussed at the meeting.” Here, the Chair spoke with a School Committee member an hour before the School Committee’s meeting, and after that conversation, decided to introduce a motion under the “New Business” section of the meeting. The AG found that the Chair did not reasonably anticipate this motion 48 hours before the meeting and, therefore, it was not unlawful to consider the motion, even though it had not been listed in a meeting notice. (See attached OML Checklists).

## **II. THE MASSACHUSETTS PUBLIC RECORDS LAW**

The Massachusetts Public Records Law provides that every person has a right to access public records, unless such records fall within 16 statutory exemptions. (See attached Guide to Massachusetts Public Records Law). Massachusetts defines public records broadly, to include “all documentary material or data, regardless of physical form or characteristics, made or received by any officer or employee” of any town of the Commonwealth. M.G.L. c. 4, §7(26). The statutory exemptions are strictly and narrowly construed. Globe Newspaper Co. v. DA of the Middle Dist., 439 374, 3890 (2003). Examples of exemptions are as follows:

Exemption A: those records that are “specifically or by necessary implication exempted from disclosure by statute.” One statute that exempts disclosure under the public records law is the Federal Education Rights and Privacy Act (“FERPA”) and related Massachusetts Student Records Regulations that govern maintenance, confidentiality and access to Student Records.

Exemption C: personnel and medical files or information; also, any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy.

**A caution about email and text messages: Emails made and received by public officials are subject to disclosure unless one of the statutory exemptions applies.** As with any effective communication, content and choice of words in emails must be tailored to the anticipated audience, which could include the general public.

### **Additional Compliance Obligations**

On June 3, 2016, Governor Baker signed *An Act to Improve Public Records* into law, which took effect on January 1, 2017. The new law sets limits on fees, provides deadlines for the provision of records, requires the designation of a “Records Access Officer,” and provides for an appeals process in respect to assessing fees and extensions of time to respond to records requests. The new law also distinguishes between “agencies” and “municipalities,” assigning certain responsibilities to each. School districts fall within the definition of “municipalities” for the purposes of the new law. In addition, the Secretary of State’s office is expected to create educational materials, make training available to agencies/towns, and prepare forms, guidelines, and reference materials to use and give to the public. The Secretary of State’s

Division of Public Records has approved revised regulations implementing the new law which are found at 950 CMR 32.00. (See attached Summary of Changes to the Public Records Law).

### **Records Access Officer**

Each “municipality” must designate one or more employees to serve as a Records Access Officer (RAO). Thus, every city and town are required to identify at least one employee who will serve in this role. Regional school districts also fall within the regulations’ definition of municipality and therefore must designate an RAO. However, non-regional school districts may choose to either coordinate responses to public records requests through the municipal RAO or may choose to designate a district RAO. The RAO must coordinate the district’s response to public records requests and facilitate a timely resolution. Each RAO must (1) assist persons seeking public records to identify the records sought; (2) assist the custodian of records in preserving public records in accordance with the law; and (3) prepare guidelines that assist persons seeking public records to make informed requests. These guidelines must include a list of categories of public records maintained by the district and must be posted on the district’s website. The RAO shall also, to the extent feasible, post commonly available public records documents on the district’s website.

Contact information, including the RAO’s name, title, business address, business telephone number, and business email address, must also be posted in a conspicuous location and on the district’s website.

### **Electronic Records**

The RAO must provide the public records by electronic means unless the record is unavailable electronically or the requester is unable to receive or access the records electronically. The record should be provided in the requester’s preferred format when feasible. If the public record is otherwise available on a public website, the RAO may furnish the record by assisting the requester in locating it on the website.

### **Response to Requests for Records**

The RAO must generally provide a written response to a request for public records no later than ten (1) business days following receipt of a request. Requests may be made orally or in writing and delivered by hand, by mail, by email, or by facsimile. A request is considered “received” on (1) the first business day following receipt of a written request or (2) the day of an oral request.

An RAO may not charge a fee for a public record unless the RAO responds to the requester within ten (10) business days. (See “Fees” below).

The RAO may not require the requester to specify his/her reason for the request other than to determine if the request is for commercial purposes or whether to grant a fee waiver.

If the RAO is unable to permit inspection or furnish a copy of a requested record because the magnitude or difficulty of the request, or multiple requests from the same

requester, unduly burdens the district, the district must still respond in writing, within ten (10) business days of initial receipt of the request. The response, sent via email or first-class mail, must identify a reasonable timeframe in which the district shall produce the public records sought. Such timeframe may not exceed twenty-five (25) business days following the initial receipt of the request for public records. A date beyond the twenty-five (25) business days is acceptable if voluntarily agreed upon by the requestor.

If the RAO intends to deny the access to requested records, the district must provide written notice of the denial within ten (10) business days of receipt of the request. The response, sent via email or first-class mail, must:

- Include the date of the request
- Identify any public records sought that aren't in the possession, custody, or control of the district
- Identify the agency or municipality that may be in possession, custody, or control of the record, if known
- Identify any records or portions of records withheld and provide the reason (e.g., exemption)
- Identify any portions of the responsive records that the district intends to produce
- Identify a reasonable timeframe in which the district will produce the public records, but no longer than 15 business days after initial receipt of request (or 25 business days for municipalities), unless the requester agrees to a date beyond this
- Inform the requester of his/her right to appeal to the Supervisor of Records or to seek judicial review.
- The RAO may petition the Supervisor of Records to request (1) an extension of time to provide requested records or (2) a waiver of fee limits.

## **Fees**

Districts can assess reasonable fees for the production of public records, unless those records are freely available for public inspection. If fees are assessed, the district must provide a written, itemized, good faith estimate of the amount to be charged prior to complying with the request. The district may charge the following:

- The actual cost of any storage device (e.g., thumb drive)
- 5 cents per page for black and white copies or printouts (single and double-sided)
- The actual cost of postage if the requester specifically asks that the records be mailed
- An hourly rate equal to the lowest paid employee with the required skills to respond to the request, not to exceed \$25 per hour, for time spent searching, compiling, segregating, redacting and reproducing a requested record. If the municipality has a population of greater than 20,000, then the RAO may not assess such a fee for the first two hours of time spent responding to the request. If the municipality has a population of 20,000 or less, it may assess a fee for the first two hours spent responding to the request.

To the extent feasible and at reasonable times, a requester is entitled to view and inspect records prior to obtaining copies or use a personal device such as a camera or portable scanner to copy records.

The RAO may also waive or reduce any fee if the requester shows that the disclosure of the public records is in the public interest because the records contribute significantly to the public's understanding of district operations and is not primarily in the commercial interest of the requester, or if the requester has shown a lack of financial ability to pay. The

If a requester has failed to pay for previously produced records, the RAO may deny further requests, provided that written notification and an itemized bill of past due amounts is provided to the requester. The RAO may also delay provision of requested records until all fees related to the request are paid in full by the requester.

### **Appeal**

If a requester believes the district has failed to comply with the law, he/she may petition the Supervisor of Records to determine whether a violation has occurred. Such petitions for appeal must be filed within ninety (90) calendar days of the RAO's response. The Supervisor of Records will issue a decision within ten (10) business days and will order any appropriate relief. If the district fails to comply with any issued order, the Attorney General may be notified and may take action. A requester may also seek enforcement in court with the burden on the district to prove that the record was withheld in accordance with state or federal law.

### **III. The Massachusetts Conflict of Interest Statute M.G.L. c 268A**

The actions of committee members, as municipal employees, are also governed by the Massachusetts Conflict of Interest Statute (M.G.L. Chapter 268A), as members are deemed to be "special state employees" within the meaning of that statute. The purpose of the law is to prevent conflict between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence.

The statute spells out several on-the job restrictions directly relevant to school committee members:

1. Bribes - You are prohibited from asking for, giving, offering, or receiving a bribe. Bribes are defined as taking anything of value corruptly received in exchange in order to influence your official actions. Bribes are illegal no matter what the value because they are motivated by corrupt intent.
2. Gifts and gratuities - You are prohibited from asking for or accepting a gift or gratuity of \$50 or more because of your official position, or because of something you can do or have done in your official position. Notably, this prohibition covers meals, entertainment, event tickets, golf, gift baskets and payment for travel expenses even if

they are given in connection with official actions. A number of small gifts together worth \$50 or more may also violate this section.

3. Misuse of position - You may not use your official position to get something worth \$50 or more that you are not entitled to, or to get something for someone else that they are not entitled to.
4. Self-dealing and nepotism - You may not participate as a school committee member in a matter in which you, your immediate family, your business organization, or your future employer as a financial interest. Immediate family includes parents, siblings, spouse, spouse's parents, children and siblings. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else. The amount of money is irrelevant in this prohibition. However, the financial interest must be direct, immediate or reasonably foreseeable. The statute includes some exemptions specific to other particular public offices. For example, school committee members may participate in setting school fees that will affect their own children if they make prior written disclosure.
5. Making false claims - It goes without saying that you are prohibited from presenting false claims for payment or benefits of \$50 or more or causing someone else to do so.
6. Appearance of conflict - You may not act in a manner that would make a reasonable person think you can be improperly influenced or show favor toward someone. This prohibition requires you to consider those relationships and affiliations that may prevent you from acting fairly and objectively as a school committee member. If you doubt that you can do so, you should abstain. However, you can avoid violating this provision by making a public disclosure of the facts prior to acting.
7. Confidential information - School committee members may not improperly disclose confidential information that they have as a result of their positions or make personal use of such non-public information to further their personal interest.

Your obligations under the Conflict of Interest Law extends to after-hours activities as well.

1. Employment conflicts - You may not take a second job that conflicts with your duties. In other words, you cannot receive pay for employment for a position that is incompatible with being a school committee member. This prohibition includes private or public employment.
2. Divided loyalties - School committee members are prohibited from receiving pay to work on a matter involving the committee. You may not act as an agent for anyone else in such a manner even though you are not paid to be school committee members.

3. Inside track - Likewise, you may not take a paid position or receive pay from any department of Dover or Sherborn for work other than school committee work.

Finally, the statute reaches beyond the term of your service as school committee members.

1. Forever ban - Once your service has ended, you may not work for anyone else on matters that you worked on while you were on the school committee. This prohibition serves to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to their former employer. However, you may use the expertise you gain on the school committee in subsequent private service.
2. One-year cooling off period - As former school committee member, you are barred for one year from personally appearing before any agency of the municipality in connection with matters under your authority in your prior position.
3. Partners - Your business partners are subject to the same restrictions as you are while you are as a school committee member.

When the Ethics Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to \$10,000 (\$25,00 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage gained by the violation and make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

The Massachusetts legislature amended Chapter 268A effective July 2009 to include mandatory education and training requirements for all public employees, as defined by the statute. Thus, members of school committees in Massachusetts must receive a summary of Chapter 268A annually and sign a written acknowledgement that they have been provided a copy of the summary. In addition, they are required to complete an online training program. New committee members must complete the training within 30 days of appointment and every two years thereafter. (See attached Conflict of Interest Memorandum-Town of Dover). You can also access additional information regarding your rights and obligations in particular circumstances by contacting <https://www.mass.gov/orgs/state-ethics-commission>.



MARBLEHEAD  
PUBLIC SCHOOLS

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

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MEMORANDUM

TO: Marblehead School Committee  
FROM: Michelle Cresta  
DATE: July 14, 2022  
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 the shared drive and the required signatures have been obtained for each schedule.

22263	\$ 4,379.25
22291	\$ 6,303.00
22292	\$ 21,743.58
22321	\$ 57,147.04
22326	\$ 20,699.86
22329	\$ 153,292.44
22333	\$ 5,320.74
22347	\$ 78,004.25
22352	\$ 11,174.96
22353	\$ 16,597.35
22354	\$ 300.00
22355	\$ 151,625.64
22356	\$ 10,484.66
22379	\$ 25,390.36
22384	\$ 23,379.60
22390	\$ 250,000.00
22391	\$ 963.00
22392	\$ 7,950.00
22397	\$ 21,433.09
22403	\$ 7,494.93
TOTAL	\$ 873,683.75

Suggested Motion:

*Motion to approve the identified schedules of bills totaling \$873,683.75.*



# MARBLEHEAD PUBLIC SCHOOLS

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

## MEMO

TO: Marblehead School Committee  
FROM: Michelle Cresta, Assistant Superintendent for Finance & Operations  
CC: John Costantino, Food Service Director  
DATE: July 14, 2022  
RE: School Meal Prices 2022-2023

During the past school year our school meal program was universally funded by the federal and state governments. This program provided funding for breakfast and lunch for all students all year long. This program was great in terms of having our students fed, but is quite expensive for the government to sustain. The participation rate during the past year was just over 50%. Normally our participation rate runs between 25% and 30%.

The funding and reimbursement rates for the upcoming school year has not yet been determined by the government. For planning purposes, we need to assume that we will be returning to a three-tiered paid lunch program in which we have separate rates for free, reduced and paid meals. The current time we are anticipating that we will need to increase all paid meal prices due to increased operating costs. The increase for most paid student meals will be \$ .25 with a couple of exceptions due to pricing alignment. The current and proposed prices are shown below.

	Current Set Breakfast Price	Proposed Breakfast Price	Current Set Lunch Price	Proposed Lunch Price
Brown/Glover	\$2.00	\$2.25	\$3.00	\$3.50
Village	\$2.00	\$2.25	\$3.25	\$3.50
Veterans	\$2.00	\$2.25	\$3.50	\$3.75
MHS	\$2.00	\$2.25	\$3.75	\$4.00
MHS - Premium Lunch				\$5.25
Adult Meal		\$5.00		\$5.00
Adult - Premium Lunch				\$6.25

Another important item to keep in mind is the Price Equity requirement that is part of the federal regulations. In normal times and circumstances, regulations require that the average price for a meal charged in the district is equal to, or greater than the value of the free reimbursement. This calculation for this requirement is dependent on the reimbursement meal rate that has yet to be set by the government for the upcoming school year. The proposed increases are expected to satisfy this requirement for the upcoming school year.

### Suggested Motion:

*Motion to approve student paid meal prices for the 2022-2023 school year as \$2.25 for breakfast at all schools, \$3.50 for lunch at Brown, Glover and Village, \$3.75 for lunch at Veterans, \$4.00 for lunch at the High School, and \$5.25 for a premium lunch at the High School.*

**Wednesday Keynote Dinner Tickets**

Wednesday, November 2, 7:00pm

Quantity | 1 ▼ |

**Thursday Leadership Buffet Lunch Tickets**

Thursday, November 3, 12:15pm

Quantity | 1 ▼ |

**Thursday Presidents Buffet Dinner Tickets**

Thursday, November 3, 6:30pm

Quantity | 1 ▼ |

**Friday Networking Lunch Tickets**

Friday, November 4, 12:00pm

Quantity | 1 ▼ |

**Friday Leadership Buffet Dinner Tickets**

Friday, November 4, 6:30pm

Quantity | 1 ▼ |

**Saturday Student Voices Lunch**

Saturday, November 5, 12:00pm

## 2022-2023 School Committee Sub-Committees and Liaisons

Note: Subcommittee recommendations are brought back to the School Committee for action (policy BDE)

### I. Sub-Committees (requires vote):

Sub-Committees of School Committee	Description of Sub-Committee Activities	2021-2022 Former Reps	2022-2023 Current Reps
<b>Budget</b>	Support budget development process via working session with Superintendent and Business staff, provide constructive input into the budget strategy and output, and support efforts with FinCom and the Town	David Harris/Meagan Taylor	
<b>(Curriculum) Teaching &amp; Learning</b>		N/A	
<b>Facilities Committee</b>	Annual review of yearly facilities maintenance plan, capital outlays, and long term facilities' needs	Emily Barron /Sarah Fox	
<b>Policy</b>	Remain current in MPS curriculum development/alignment as progresses across disciplines	Emily Barron/Sarah Gold	
<b>Building Committee</b>	Meet with Bldg. Comm. Bldg. Comm./report back to SC Minutes approved to Bldg. Comm.	David Harris/Sarah Fox	N/A

### II. Superintendent's Advisory

<b>Safety Advisory</b>	Develop and maintain district safety plans in collaboration with Town Officials	Sarah Fox	
<b>Health/Wellness</b>	Overview of Wellness Policy and building related procedures	Sarah Gold	

### III. SC Liaison to School Advisory Councils 2022-2023

School	2021-2022 SC Liaison	2022-2023 SC Liaisons
High School	Sarah Gold	
Veterans	Emily Barron	
Village School	Meagan Taylor	
Glover	Sarah Gold & David Harris	
Brown	Sarah Fox	

### IV. Other SC Liaisons 2022-2023

METCO	Emily Barron	
SEPAC	Meagan Taylor	

# QUOTE CONFIRMATION



DEAR STEVE KWIA TEK,

Thank you for considering CDW•G LLC for your computing needs. The details of your quote are below.  
[Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MQFB889	2/18/2022	POLY	419279	\$5,690.26

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
<a href="#">Poly - stand - for video conferencing system</a> Mfg. Part#: 2215-86538-100 Contract: Massachusetts IT Hardware and Services - ITC73 C3 (ITC73)	1	6690392	\$111.53	\$111.53
<a href="#">Poly Studio X70 - video conferencing kit - with Poly TC8</a> Mfg. Part#: 7200-87300-001 Contract: Massachusetts IT Hardware and Services - ITC73 C3 (ITC73)	1	6690401	\$5,578.73	\$5,578.73

PURCHASER BILLING INFO	SUBTOTAL	\$5,690.26
<b>Billing Address:</b> MARBLEHEAD PUBLIC SCHOOL DISTRICT ACCTS PAYABLE 9 WIDGER RD MARBLEHEAD, MA 01945-2111 <b>Phone:</b> (617) 631-0900 <b>Payment Terms:</b> NET 30 Days-Govt/Ed	SHIPPING	\$0.00
	SALES TAX	\$0.00
	GRAND TOTAL	\$5,690.26
DELIVER TO	<b>Please remit payments to:</b>  CDW Government 75 Remittance Drive Suite 1515 Chicago, IL 60675-1515	
<b>Shipping Address:</b> VETERANS MIDDLE SCHOOL 217 PLEASANT ST MARBLEHEAD, MA 01945 <b>Shipping Method:</b> DROP SHIP-GROUND		

## Need Assistance? CDW•G LLC SALES CONTACT INFORMATION



Tim Smith

(866) 773-7356

timsmi@cdwg.com

This quote is subject to CDW's Terms and Conditions of Sales and Service Projects at  
<http://www.cdwg.com/content/terms-conditions/product-sales.aspx>  
For more information, contact a CDW account manager

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## MARBLEHEAD PUBLIC SCHOOLS

### District Plan for Success 2021-2026

MISSION				
To foster in all students a passion for learning and to provide safe and nurturing, inclusive school environments in which they can develop the values, knowledge, and skills needed to achieve full potential in their personal, social and work lives to become engaged and contributing members of society.				
VISION				
To be a model school district, exemplary in its student engagement and academic excellence, in which all students and staff reach their highest potential in partnership with the community.				
CORE VALUES				
<p><b>Student Achievement:</b> We will provide challenging standards and differentiated instruction to encourage students to excel and become confident, engaged learners who achieve their potential.</p> <p><b>Personal Growth:</b> We will provide students with opportunities to grow socially, emotionally, physically and academically, and to be respectful, contributing members of society.</p> <p><b>Partnerships and Collaboration:</b> As a shared responsibility, we will foster partnerships among the schools, families, businesses and community at large.</p> <p><b>School Culture:</b> We will create an environment of respect and appreciation for individual and cultural differences and instill a passion for responsible social action.</p> <p><b>Resources:</b> We will make decisions in the best interests of students' growth, recognizing funding that supports educational excellence and social/emotional well-being.</p>				
THEORY OF ACTION				
If we fully <b>align</b> teaching and learning, Prek-12, with our multi-tiered system of supports (MTSS) framework to <b>ensure</b> all students <b>meet or exceed</b> academic & social-emotional learning expectations; <b>build, strengthen</b> and <b>support</b> educator capacity and well-being; <b>promote</b> equity & <b>ensure</b> inclusion by acknowledging and embedding all forms of diversity; <b>provide</b> students and staff with the necessary technology and support to <b>promote</b> successful student outcomes; and <b>establish</b> a comprehensive and equitable staffing, compensation, & maintenance capital plan, aligned to the facility audit; then the Marblehead Public Schools will be a model school district, exemplary in its student engagement and academic excellence, in which all students and staff reach their highest potential in partnership with the community.				
FOCUS AREAS OF DISTRICT IMPROVEMENT				
Teaching & Learning	Professional Culture	Diversity, Equity, & Inclusion	Technology	Facilities & Operations
STRATEGIC OBJECTIVES				
1. Fully align teaching & learning, Prek-12, with our multi-tiered system of supports (MTSS) framework to ensure all students meet or exceed academic & social-emotional learning expectations.	2. Build, strengthen, & support educator capacity and well-being.	3. Promote equity & ensure inclusion by acknowledging & embedding all forms of diversity throughout the district.	4. Provide students and staff with the necessary technology & support to promote successful student outcomes.	5. Establish a comprehensive and equitable staffing, compensation & maintenance capital plan, aligned to the facility audit.

STRATEGIC INITIATIVES				
1.1 Develop consistent systems, common assessments, & processes for data inquiry & analysis to support instructional excellence & student growth.	<b>2.1 Ensure efficient financial systems to support effective instruction &amp; the delivery of the curriculum.</b>	3.1 Analyze, cultivate, & expand district-wide systems to ensure all students and families, especially those from groups historically marginalized, access the entire scope of opportunities during & outside the school day.	<b>4.1 Develop and implement a comprehensive, long-term technology plan.</b>	5.1 Determine town and school roles and responsibilities.
1.2 Expand & refine instruction to ensure the taught curriculum is consistent & equitable for all students.	2.2 Provide equitable access to resources and supplies in each school and districtwide.	<b>3.2 Embed diversity, equity, &amp; inclusion in the mission, vision, core values, and training of our leadership teams, schools, and the district.</b>	4.2 Create multi-year budget projections to support current and future initiatives.	<b>5.2 Understand our assets to ensure accurate and timely communication with community members and town officials.</b>
<b>1.3 Align the curriculum by engaging in curriculum mapping that includes scope &amp; sequence.</b>	2.3 Ensure adequate opportunities and spaces for collaboration in each school and district wide.	3.3 Examine and work with culturally responsive experts to revise curriculum & assessments to provide equitable learning opportunities, resources, & materials that reflect all students.	<b>4.3 Create &amp; add instructional tech supports for staff using technology integration specialists.</b>	<b>5.3. Conduct an enrollment, reconfiguration, and re-districting analysis.</b>
1.4 Provide professional development that supports educator development, including best practices for an inclusive curriculum.	2.4. Develop & offer relevant, effective PD throughout the school system.	3.4 Acknowledge the history, strengthen, & support the district's METCO program for both communities.	4.4 Provide PD opportunities for technology use.	5.4 Explore revenue stream possibilities for facility & field use.
1.5 Ensure financial systems support the delivery of the curriculum.	2.5 Conduct a compensation & staffing analysis for Unit A personnel and paraprofessionals.	3.5 Recruit staff members who reflect our students & provide support systems to nurture long-term employment.	4.5 Review current curriculum for technology to align K-12.	<b>5.5 Use the facility audit to develop and fund the annual capital plan.</b>
1.6 Implement full-day K programs and explore other early childhood program opportunities.		<b>3.6 Identify, create, &amp; evaluate practices to ensure all students have access to high-quality educational opportunities.</b>		5.6 Conduct compensation & staffing analyses for all personnel areas.
		<b>3.7 Cultivate inclusive family &amp; community partnerships.</b>		5.7 Develop a team to market the facilities & maintenance plans for community buy-in.
		<b>3.8 Sustain and support DEI team.</b>		

## OUTCOMES

### OUTCOMES: Objective 1-Teaching & Learning

- A. By June 30, 2026, teaching and learning in the Marblehead Public Schools will be fully aligned, preK-12, with our Multi-tiered System of Supports (MTSS) framework, resulting in students meeting or exceeding academic and grade level expectations and experiencing individual social/emotional growth as evidenced through a variety of assessment tools.
- B. By June 30, 2026, instructional practices will reflect the aligned curriculum and the diversity, equity, and inclusion initiatives of the Marblehead Public Schools.
- C. By June 30, 2026, educators will be competent in their capacity to implement the aligned horizontal and vertical curriculum to ensure all students graduate as conscientious members of society who are career and college ready.
- D. By June 30, 2026, the District will have implemented full day K programs and explored other early childhood opportunities.

### OUTCOMES: Objective 2 – Professional Culture

- A. By June 30, 2026, the Marblehead Public Schools, in conjunction with the Marblehead Education Association Professional Development Committee, will develop a long-term professional development plan (five-year) to address deficits; increase capacity; foster diversity, equity, and inclusion; support instructional technology; facilitate the development of aligned curriculum; and attend to the social emotional well-being of educators.
- B. By June 30, 2026, the Marblehead Public Schools will conduct a k-12 audit of spending for instructional supplies to ensure all have equitable funding that supports effective instruction.

### OUTCOMES: Objective 3 Diversity, Equity, and Inclusion

- A. By June 30, 2026, the Marblehead families, inclusive of all students enrolled in the Marblehead Public Schools, will be fully engaged and actively participate in their children's education by way of during and outside of school opportunities.
- B. By June 30, 2026, the Marblehead Public Schools will have reduced at risk measures and outcomes for all marginalized and/or at-risk students to the point where all students feel safe, supported, and included in school.
- C. By June 30, 2026, the Marblehead Public schools will provide inclusive and diverse curriculum, instruction, and extracurricular practices and activities to ensure that all students have equitable access to high quality educational and personal development opportunities.

### OUTCOMES: Objective 4 – Technology

- A. By June 30, 2026, the Marblehead Public Schools will have a sustained budget that supports current and future technology initiatives.
- B. By June 30, 2026, the Marblehead Public Schools will have sufficient staff to ensure the delivery of a comprehensive k-12 technology program.

### OUTCOMES: Objective 5 - Facilities and Operations.

- A. By June 30, 2026, the Marblehead Public Schools will have equitable staff compensation.
- B. By June 30, 2026, the Marblehead Public Schools will maintain a capital plan and align it to the facility audit.
- C. By June 30, 2026, the Marblehead Public Schools will establish a comprehensive and equitable staffing plan.



# MARBLEHEAD PUBLIC SCHOOLS

## Marblehead School Committee

9 Widger Road,  
Marblehead, MA 01945  
phone: 781.639.3140 x10114  
email: schoolcommittee@marbleheadschoools.org

**Sarah Fox**  
Chairman

**Emily Baron**  
Vice Chairman

**Sarah Gold**  
Committee Member

**Meagan Taylor**  
Committee Member

**Alison Taylor**  
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. No one member should monopolize the discussion. 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.



# MARBLEHEAD PUBLIC SCHOOLS

## Marblehead School Committee

9 Widger Road,  
Marblehead, MA 01945  
phone: 781.639.3140 x10114  
email: [schoolcommittee@marbleheadschoools.org](mailto:schoolcommittee@marbleheadschoools.org)

<b>Sarah Fox</b> Chairman	<b>Emily Barron</b> Vice Chairman	<b>Sarah Gold</b> Committee Member	<b>Megan Taylor</b> Committee Member	<b>Alison Taylor</b> Secretary
------------------------------	--------------------------------------	---------------------------------------	---	-----------------------------------

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 and/or the School Committee Chairperson rather than directly to district staff or Town officials. Town officials shall channel requests for information through the Chairperson or 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.



# MARBLEHEAD PUBLIC SCHOOLS

## Marblehead School Committee

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<b>Sarah Fox</b> Chairman	<b>Emily Barron</b> Vice Chairman	<b>Sarah Gold</b> Committee Member	<b>Meagan Taylor</b> Committee Member	<b>Alison Taylor</b> 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 an 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.



# MARBLEHEAD PUBLIC SCHOOLS

## Marblehead School Committee

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email: [schoolcommittee@marbleheadschoools.org](mailto:schoolcommittee@marbleheadschoools.org)

<b>Sarah Fox</b> Chairman	<b>Emily Barron</b> Vice Chairman	<b>Sarah Gold</b> Committee Member	<b>Meagan Taylor</b> Committee Member	<b>Alison Taylor</b> Secretary
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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.

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Sarah Fox, Chairperson

---

Emily Barron, Vice Chair

---

Alison Taylor, Secretary

---

Sarah Gold, Committee Member

---

Meagan Taylor, Committee Member



# MARBLEHEAD PUBLIC SCHOOLS

**Superintendent**  
**Dr. John J. Buckey, Ed.D.**  
9 Widger Road,  
Marblehead, MA 01945  
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## 2022-2023 School Committee Meeting Dates

### September

1<sup>st</sup> Thursday Sept 1<sup>st</sup> / 3<sup>rd</sup> Thursday Sept 15<sup>th</sup>  
*School begins for students on Tuesday Sept 6<sup>th</sup>*  
*Keep 1<sup>st</sup> and 3<sup>rd</sup> or hold off cycle on 8<sup>th</sup> and 22<sup>nd</sup>?*

### October

1<sup>st</sup> Thursday- Oct 6<sup>th</sup> / 3<sup>rd</sup> Thursday-Oct 20<sup>th</sup>

### November

1<sup>st</sup> Thursday- Nov 3<sup>rd</sup> / 3<sup>rd</sup> Thursday-Nov 17<sup>th</sup>  
*Joint conference is the 2<sup>nd</sup>-5<sup>th</sup>, move to Wed night the 2<sup>nd</sup> to allow members to attend 3 & 4<sup>th</sup> ?*

### December

1<sup>st</sup> Thursday- Dec 1<sup>st</sup> / 3<sup>rd</sup> Thursday-Dec 15<sup>th</sup>  
*1/2 day on Dec 15<sup>th</sup> for Pre-K-8 Parent Conferences (conflict at night)*  
*Select alternate date or schedule meeting at 7:30pm?*

### January

1<sup>st</sup> Thursday- Jan 5<sup>th</sup> / 3<sup>rd</sup> Thursday-Jan 19<sup>th</sup>

### February

1<sup>st</sup> Thursday- Feb 2<sup>nd</sup> / 3<sup>rd</sup> Thursday-Feb 16<sup>th</sup>

### March

1<sup>st</sup> Thursday- Mar 2<sup>nd</sup> / 3<sup>rd</sup> Thursday-Mar 16<sup>th</sup> / 5<sup>th</sup> Thursday-Mar 30<sup>th</sup>  
*Meet off cycle on the 30<sup>th</sup> to accommodate April break, which falls on 3<sup>rd</sup> Thursday in April*

### April

2<sup>nd</sup> Thursday –Apr 13<sup>th</sup> / 3<sup>rd</sup> Thursday –Apr 20<sup>th</sup> (no school on 17<sup>th</sup>-21<sup>st</sup>=April break)  
*One off cycle meeting in April*

### May

1<sup>st</sup> Thursday- May 4<sup>th</sup> / 3<sup>rd</sup> Thursday-May 18<sup>th</sup>

### June

1<sup>st</sup> Thursday- Jun 1<sup>st</sup> / 3<sup>rd</sup> Thursday-Jun 15<sup>th</sup>