



DATE POSTED:

Town Clerk Use Only

## 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/95653762137?pwd=Tk4yL3ZVR1ZQZXd0V1g4LzJrbEITUT09>

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

**Meeting ID: 956 5376 2137**

**Password: 700306**

<b>Thursday</b>	<b>May</b>	<b>13<sup>th</sup></b>	<b>2021</b>	<b>7:00pm</b>
Day of Week	Month	Date	Year	Time

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

### **THIS AGENDA IS SUBJECT TO CHANGE**

- I. Call to Order
  - a. Public Comment
- II. Planning for Success-Superintendent's Advisory Committee Membership
- III. Review of Policy EBCFA-Face Coverings (Vote)
- IV. Open Meeting Law Complaint Discussion (Vote)

Motion and vote to meet in Executive Session pursuant to Massachusetts General Laws chapter 30A, section 21(a) for the following purpose: purpose (3) to discuss strategy with respect to collective bargaining with the Marblehead Education Association MEA if an open meeting may have a detrimental effect on the bargaining position of the School Committee and the chair so declares

#### Executive Session

Meeting in Executive Session pursuant to Massachusetts General Laws chapter 30A, section 21(a) for purpose (3) to discuss strategy with respect to collective bargaining with the Marblehead Education Association MEA with no intent to return to open session.

**Chairperson** Sarah Gold  
**Posted by** Lisa Dimier  
**Date** 5/11/2021

## **PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS**

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desires citizens of the District to attend its meetings so that they may become better acquainted with the operations and the programs of our local public schools. In addition, the Committee would like the opportunity to hear the wishes and ideas of the public.

In order that all citizens who wish to be heard before the Committee have a chance and to ensure the ability of the Committee to conduct the District's business in an orderly manner, the following rules and procedures are adopted:

1. At the start of each regularly scheduled School Committee meeting, individuals or group representatives will be invited to address the Committee. The Chair shall determine the length of the public participation segment.
2. Speakers will be allowed three (3) minutes to present their material. The presiding Chair (or a majority vote of the committee) may permit extension of this time limit.
3. Individuals may address topics, within the scope of responsibility of the School Committee.
4. Improper conduct and remarks will not be allowed. Defamatory or abusive remarks are always out of order. If a speaker persists in improper conduct or remarks, the Chair may terminate that individual's privilege of address.
5. All remarks will be addressed through the Chair of the meeting.
6. Speakers may offer such objective criticisms of the school operations and programs as concern them, but in public session the Committee will not hear personal complaints of school personnel nor against any member of the school community. Under most circumstances, administrative channels are the proper means for disposition of legitimate complaints involving staff members.
7. Written comments longer than three (3) minutes may be presented to the Committee before or after the meeting for the Committee members' review and consideration at an appropriate time.
8. Public Comment is not a discussion, debate, or dialogue between citizens and the Committee. It is a citizen's opportunity to express his/her opinion on issues of School Committee business. The Committee and/or administrator's may not be prepared to directly respond to citizen questions posed in this forum but the Chair may request that citizens put the question in writing to the appropriate person or body so that the matter is given the proper consideration.

SOURCE: [Marblehead](#)

## FACE COVERINGS

The Marblehead Public School District is committed to providing a safe environment as schools reopen during the COVID-19 pandemic. According to public health experts, one of the best ways to stop the spread of coronavirus and to keep members of our school community safe is the use of face masks. Therefore, in accordance with guidance from the Centers for Disease Control and Prevention (CDC), the Department of Elementary and Secondary Education (DESE), the Massachusetts Department of Public Health (DPH), and the Massachusetts Executive Office of Energy and Environmental Affairs, the following requirements are in place until further notice.

A face mask that, per DPH and CDC guidance:

- covers the nose and mouth;
- fits securely and comfortably against the side of the face;
- is secured with ties or ear loops;
- allows for breathing without restriction;
- does NOT have an exhalation valve or vent; and
- can be laundered and machine dried without damage or change of shape

must be worn by all individuals in school buildings, on school grounds, **during school hours, at school sponsored events**, and on school transportation, even when social distancing is observed. Exempted from this policy are individuals under the age of 2. Families will be required to provide a daily face mask, along with a backup face mask, if possible. Face masks should be labeled with the student's name. Schools will have backup masks when needed should a face mask become soiled, broken or misplaced.

Individuals may be excused from the requirement for the following list of reasons, per CDC guidance:

The individual:

- has trouble breathing;
- is unconscious;
- is incapacitated;
- cannot remove the mask or face covering without assistance.

In addition, accommodations will be made for individuals for whom wearing face masks is not possible or safe due to a medical condition, disability impact, a significant impediment to communication, or other health or safety factors, which for students may include behavioral challenges. Medical documentation acceptable to Marblehead Public Schools is required for a requested accommodation. Any accommodations must be approved by the building Principal in consultation with the school nurse or local board of health. A face shield or physical barrier is not an acceptable substitute for a face mask unless it has been deemed appropriate with an

official exemption as part of the accommodation determination. Parents may not excuse their child from the face mask requirement by signing a waiver.

Additionally, face masks will not be required:

- during mask breaks which will preferably occur outdoors, with a minimum of 6 feet of physical distance between individuals. All mask breaks are optional for the individual student. Students who do not want or need a mask break will not be forced to participate ● while eating or drinking; which ideally occur outdoors and/or with maximum physical distancing.
- during physical education classes, chorus/choir, singing, brass & woodwind instruments or musical theater, all of which occur while outside with a minimum of 10 feet of physical distancing between individuals

A student's mask is to be provided by the student's family. Staff members will be supplied masks. The district will supply a disposable face mask for individuals who arrive at a building, or who board school transportation, without one. In addition to their required characteristics per DPH and CDC guidance listed above, masks must be appropriate in compliance with the same rules as are set forth in the school Dress Code and Student Handbook. No masks containing offensive or inappropriate material will be allowed.

If a student refuses to wear a mask while at school and does not have a documented reason that is consistent with this Policy, the student will be sent home. Currently, mask wearing is mandated by the State of Massachusetts and the decision to dismiss a student for not wearing a mask has been approved by the Marblehead Board of Health. While we strive to educate through restorative justice principles, there will be progressive discipline for students who do not follow the mask guidelines.

Violations of this policy by staff will be handled in the same manner as other violations of School Committee policy or of the Marblehead Public Schools workplace rules and requirements.

Visitors in violation of this policy will be denied entry to the school/district facility.

This policy will remain in place until rescinded by the School Committee.

LEGAL REF.: Commonwealth of Massachusetts, COVID-19 Order No. 31 - <https://www.mass.gov/doc/may-1-2020-masks-and-face-coverings/download>

REFS.: Center for Disease Control and Prevention – Considerations for Wearing Masks - <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html> Massachusetts Department of Elementary and Secondary Education – Reopening Guidelines - <http://www.doe.mass.edu/covid19/>

Commonwealth of Massachusetts – Mask Up MA! – <https://www.mass.gov/news/mask-up-ma>

SOURCE: MASC –

***Marblehead Public Schools Originally approved August 2020, Revised 5/13/2021***

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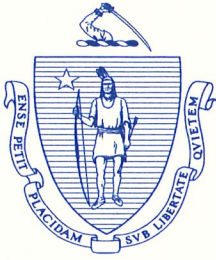
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SOURCE: MASC –

***Marblehead Public Schools Approved August 2020, Revised 3/4/2021***



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
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**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITO**  
LIEUTENANT GOVERNOR

## **FURTHER REVISED ORDER REGARDING FACE COVERINGS**

### COVID-19 Order No. 67

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”);

**WHEREAS**, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

**WHEREAS**, the Federal Centers for Disease Control (the “CDC”) have determined that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and environments where the virus may be transmitted;

**WHEREAS**, the CDC and the Department of Public Health have advised individuals to wear face coverings when they are outside of the home in order to prevent transmission of this highly contagious virus and have found increasing evidence that face coverings help prevent people who have COVID-19 from spreading the virus to others;

**WHEREAS**, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission, which permits periodic adjustments to safety measures;

**WHEREAS**, on May 1st, 2020, I issued COVID-19 Order No. 31, which required face coverings to be worn in public settings where social distancing was not possible, and at all times in retail stores and on public transportation;

**WHEREAS**, on November 2, 2020, in response to rising cases counts and hospitalizations, I issued COVID-19 Order No. 55, which required face coverings to be worn at all times in all public locations, whether indoors or outdoors;

**WHEREAS**, there have been significant improvements in the public health data, including a decline in the 7-day average of confirmed COVID-19 cases from 6,239 on January 8, 2021 to 920 on April 26, 2021 and a decline in the 7-day average of hospitalizations from 2,343 to 628 over the same period;

**WHEREAS**, at the same time, the Commonwealth has continued to administer vaccinations at a steady pace, and as of April 28, 2021, 5,912,233 vaccination doses have been administered, which has resulted in 2,436,087 persons being fully vaccinated; and

**WHEREAS**, as of April 19, 2021, all persons over the age of 16 in the Commonwealth are eligible to receive a vaccine;

**WHEREAS**, these continued positive trends in the public health data permit a phased relaxation of restrictions on persons, businesses, and other organizations, provided, however, that such adjustments can only be maintained or expanded on the basis of continuing favorable developments in the public health data; and

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over assemblages and pedestrian travel in order to protect the health and safety of persons; transportation or travel; regulation of the sale of articles of food and household articles; and the policing, protection, and preservation of public and private property;

**NOW, THEREFORE**, I hereby Order the following:

**1. Face Covering Requirements**

Except as provided in Section 2, all persons in Massachusetts over the age of 5 years old are required to wear a mask or face covering over their mouth and nose in the following circumstances:

**A. Public Locations**

- Indoors. Face coverings are required at all times when indoors and in a public location.
- Outdoors. Face coverings are required when outdoors and in a public location if unable to maintain a distance of approximately six feet from every other non-

household member or if otherwise required by Sector-Specific COVID-19 Safety Rules.

## **B. Events and Gatherings**

- Public Locations. Face coverings are required at all times at events and gatherings in public locations.
- Private Homes. Face coverings are encouraged but not required for events and gatherings at private homes.

If a customer, patron, or attendee refuses to wear a mask or face covering for non-medical reasons, the operator of a facility, business, or event may decline entry to the individual.

“Public locations” shall mean any place open to the public including, without limitation, grocery stores, pharmacies, and other retail stores; public transportation, taxis, livery, and other ride-sharing vehicles; public streets and ways; and any location, including hotels, event venues, and private clubs, that hosts indoor or outdoor events or performances.

2. **Exceptions**: The face coverings requirement in Section 1 shall not apply in the following circumstances:
  - (a) Where a person is unable to wear a mask or face covering due to a medical or disabling condition; provided that a person who declines to wear a mask or face covering because of a medical or disabling condition shall not be required to produce documentation verifying the condition, except as provided in Section 3;
  - (b) Where a face covering would impede communication by or with a person who has a hearing impairment or other disability;
  - (c) When a person is inside a personal vehicle, alone or with other household members only; provided that face coverings are required when carpooling with non-household members;
  - (d) Where applicable Sector-Specific COVID-19 Safety Rules issued by the Department of Public Health, the Department of Labor Standards, the Executive Office of Energy and Environmental Affairs, the Department of Elementary and Secondary Education, the Department of Early Education and Care, or by any other agency authorized by Executive Order to issue such rules, permit the removal of face coverings in specific circumstances, such as while eating and drinking in restaurants, receiving dental care, or swimming; and
  - (e) In circumstances or for other populations that the Commissioner of Public Health may exempt in writing from the terms of this Order.
3. **Places of Employment and Schools**: Where an employee or other worker who is required to wear a face covering pursuant to this Order or any other applicable rule requests an accommodation so as not to have to wear a face covering at the workplace due to a medical or disabling condition, an employer may require documentation to verify the condition. If a

student is unable to wear a face covering because of a medical or disabling condition and will be participating in in-person learning, the school may likewise require documentation to verify the condition.

4. **Guidance:** The Commissioner of Public Health may issue guidance, subject to my approval, to implement the terms of this Order.
5. **Effective Date:** This Order is effective at 12:01 AM on April 30, 2021, and shall remain in effect until rescinded or until the state of emergency is terminated, whichever happens first.

COVID-19 Order No. 55 and the second paragraph of section 4 of COVID-19 Order No. 63 are hereby rescinded effective 12:01 AM on April 30, 2021.

Given in Boston at 2:20 AM/PM this 29th day of April, two thousand and twenty-one



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CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts