NATICK PUBLIC SCHOOLS

School Committee Meeting June 13, 2022 6:00 PM

School Committee Room, Third Floor, Town Hall

Posted Date: Thursday, June 9, 2022 @12:30PM

Open Meeting 6:00PM, Executive Session 6:05PM, Open Session 7:05PM Virtual Meeting Accessed Via: https://us06web.zoom.us/j/2038566119?pwd=TmtsdXgxenQ0YXRLN1FIcHVpd3hEZz09 Meeting ID: 203 856 6119 Passcode: 987179 One tap mobile +13126266799,,2038566119# US (Chicago) +16465588656,,2038566119# US (New York) Dial by your location +1 312 626 6799 US (Chicago) +1 646 558 8656 US (New York) Meeting ID: 203 856 6119 Find your local number: https://us06web.zoom.us/u/keAEm9sL. If any member of the public, attending the meeting virtually, wishes to take advantage of public speak, they should email the School Committee Chair, Cathi Collins (cacollins@natickps.org), one hour prior to the start of the meeting. Your email should include your name, address and your request to be called upon during the public speak portion of the agenda. The School Committee Chair will then announce your name and you will be unmuted and prompted to turn on your video for your opportunity to share your remarks. Per our public speak policy, each speaker will have up to 3 minutes.

Posted In Accordance with Provisions of M.G.L. Chapter 30A, Sections 18-25

OPEN SESSION

- Roll Call
- Pledge of Allegiance
- Moment of Silence
- Announcements

EXECUTIVE SESSION - this portion of the meeting is not open to the public

1. To discuss strategy with respect to collective bargaining with Units A & B if an open meeting may have a detrimental effect on the bargaining position of the public body and the chair so declares;

PUBLIC SPEAK

Public Speak is scheduled for a period of fifteen minutes. Each speaker will be permitted a maximum of three minutes during which time they can speak about topics within the scope of responsibility of the School Committee. All remarks will be addressed through the School Committee Chair. Public Speak is not a time for debate or response to comments be the School Committee.

7:10PM CHAIRMAN'S REPORT

- 1. Introduction of New School Committee Student Representative
- 2. Warrant Review

3. Discussion of Public Speak Timing on Future Agendas

7:25PM SUPERINTENDENT'S REPORT

- 1. Third Quarter FY22 Budget Update
- 2. Preliminary FY22 End of Year Projections
- 3. Enrollment Update
- 4. Enrollment Projections and Class Sizes for 22-23 School Year
- 5. Review Goal 2, 3 Deliverables

8:30PM ACTION ITEMS

- 1. Approval of School Committee Policy AC
- 2. Ratification of EAN Units A & B Contract
- 3. Vote on Extending the Vaccination Policy for Staff, Contractors, Vendors and Volunteers

9:10PM CONSENT AGENDA

1. Approval of School Committee Minutes and Executive Session Minutes of May 2, 2022

SUBCOMMITTEE/LIAISON UPDATES

REPRESENTATIVE UPDATES/CONCERNS

- Teacher Representative
- Student Representative

FUTURE MEETING DATES/AGENDA ITEMS

Agenda items will be addressed in an order determined by the chair. Times are approximate.

ITEM TITLE: To discuss strategy with respect to collective bargaining with Units A & B if an

open meeting may have a detrimental effect on the bargaining position of the

public body and the chair so declares;

DATE: 6/13/2022 **ITEM TYPE:** Discussion

ITEM SUMMARY: BACKGROUND INFORMATION:

ITEM TITLE:	Introduction of New School Committee Student Representative
DATE:	
ITEM TYPE:	
ITEM SUMMARY:	
BACKGROUND INFORMATION	:
RECOMMENDATION:	

ITEM TITLE: Warrant Review

DATE:

ITEM TYPE:

ITEM SUMMARY:

BACKGROUND INFORMATION:

ITEM TITLE: Discussion of Public Speak Timing on Future Agendas

DATE: 6/13/2022 **ITEM TYPE:** Report

ITEM SUMMARY:

BACKGROUND INFORMATION:

ITEM TITLE: Third Quarter FY22 Budget Update

DATE: 6/7/2022

ITEM TYPE:

ITEM SUMMARY: LINK to update

LINK to Superintendent's presentation

Please note; changes may be made up until meeting time.

BACKGROUND INFORMATION:

ITEM TITLE: Preliminary FY22 End of Year Projections

DATE: 6/7/2022 **ITEM TYPE:** Report

ITEM SUMMARY: LINK to projections

LINK to Superintendent's presentation

Please note; changes may be made up until meeting time.

BACKGROUND INFORMATION: RECOMMENDATION:

ITEM TITLE: Enrollment Update

DATE: 6/7/2022 **ITEM TYPE:** Report

ITEM SUMMARY: LINK to Superintendent's presentation

Please note; changes may be made up until meeting time.

BACKGROUND INFORMATION:

RECOMMENDATION:

ATTACHMENTS:

Description File Name Type

June 1st report NPS_Student_Enrollment__2022_06_June.pdf Cover Memo

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ITEM TITLE: Enrollment Projections and Class Sizes for 22-23 School Year

DATE: 6/7/2022 **ITEM TYPE:** Report

ITEM SUMMARY: LINK to Procedure FY23 Projections

LINK to Final Projections

LINK to memo

LINK to Superintendent's presentation

Please note; changes may be made up until meeting time.

BACKGROUND INFORMATION:

ITEM TITLE: Review Goal 2, 3 Deliverables

DATE:

ITEM TYPE:

ITEM SUMMARY: LINK to Superintendent's presentation

Please note; changes may be made up until meeting time.

BACKGROUND INFORMATION:

ITEM TITLE: Approval of School Committee Policy AC

DATE: 6/7/2022 **ITEM TYPE:** Discussion

ITEM SUMMARY: LINK to Superintendent's presentation

Please note; changes may be made up until meeting time.

BACKGROUND INFORMATION:

RECOMMENDATION:

ATTACHMENTS:

Description	File Name	Type
Letter from Counsel Waugh	Review_ofPolicies_4.22.2022_1296014_1_(1).PDF	F Cover Memo
Policy AC	File_AC.pdf	Cover Memo
Policy ACAB	Policy_ACAB.pdf	Cover Memo
equal access and evaluation of bias	Equal_Access_and_Eval_of_Bias.pdf	Cover Memo

Attorneys at Law

Andrew J. Waugh awaugh@mhtl.com

April 22, 2022

VIA EMAIL ONLY

Dr. Anna Nolin Superintendent of Schools Natick Public Schools 13 East Central Street Natick, MA 01760

Re: Review of Committee policies and other policy questions

Dear Dr. Nolin:

I am writing in response to your request that I respond to several questions related to our recent review of several draft School Committee policies, based on template policies provided by the Massachusetts Association of School Committees. Please forward this respond to the School Committee members on the policy review committee for their review. On behalf of the policy review committee, you pose the following questions: 1) In our review of the draft policies, why did we combine Policy AC and AC-R instead of maintaining them as separate policies; 2) whether the School Committee should adopt a separate equity policy and, if the equity language is not included as policy, alternative locations where it would be appropriate to include it; 3) whether the School Committee can adopt a racism policy separate and apart from its non-discrimination policy.

- 1. Combining Policy AC and AC-R instead of maintaining them as separate policies. Multiple attorneys in my office reviewed the policies that were forwarded to me and the consensus was that Policy AC and AC-R (Non-Discrimination Policy) should be combined into one single policy. The reasoning behind this is to avoid having policies that may be similar but with slightly different language, thereby leading the administrator attempting to implement the policies to be unclear on which policy to follow. This would allow whoever is charged with conducting investigations to be able to review one policy and then implement the language in it promptly without any confusion as to procedural or substantive issues created by multiple policies.
- 2. Should the School Committee adopt a separate equity policy. The district should take care to ensure that any policy it adopts does not conflict with or duplicate existing policies. Having said that, another client of ours adopted a policy titled Equal Access and Evaluation of Bias in advance of a Coordinated Program Review, which addressed reviewing problems to



MURPHY, HESSE, TOOMEY & LEHANE, LLP Attorneys At Law

Dr. Anna Nolin April 22, 2022 Page 2

ensure equity. I've attached a copy of the policy for your review and consideration. The goal of the policy would be to proactively identify potential issues versus a non-discrimination policy that is more about reacting to a complaint once it is filed. Alternatively, if the Committee does not like the attached language but wants to signal its commitment to equity, it could do so in a vision statement that is included prior to the policy book, or in a statement on the School District's website. The Committee should be aware, however, that if they publish a statement of intent in either of the above-referenced locations, if there is a claim of a violation of its anti-discrimination policy, the alleged victim may cite to the statement language if their allegations are not sufficient to show a violation of the anti-discrimination policy.

3. Should the School Committee adopt a racism policy separate and apart from its anti-discrimination policy. In my opinion, the Committee's anti-discrimination policy is sufficient and covers racist behavior, so the addition of a racism policy would be duplicative. For the reasons I have already stated, there is a risk that multiple policies on the same topic may differ slightly, thereby creating different standards and/or expectations and making it more difficult for the administrator implementing the policy to follow it faithfully. The sexual harassment policy is different as it also addresses potential Title IX violations, so its inclusion as a separate policy is necessary.

If you have any questions concerning my responses, please do not hesitate to contact me.

very fluty yours,

Andrew J. Waugh

Enclosure

EQUAL ACCESS AND EVALUATION OF BIAS

Overview

The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation.

Evaluation of programs shall be directed by the Superintendent. Among other things, these evaluations may employ various testing programs, surveys, outside research agencies, teacher and parent information, and information about attendance and dropout rates of the district. It shall be the responsibility of the Superintendent to report periodically to the Natick School Committee on program evaluations and the progress the District is making in the attainment of its educational goals.

Evaluation of Bias

The district ensures that individual teachers in the district review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.

The district is required to ensure that *individual* teachers in the district review *all* educational materials for simplistic and demeaning generalizations, lacking intellectual merit on the basis of race, color, disability, age, sex, gender identity, religion, national origin and sexual orientation. This goes beyond a typical review of standard curriculum materials. Teachers must review all educational materials they bring into the classroom, whether it be a news article, picture book, advertisement, etc. on an ongoing basis. The review shall include consideration of achievement results for all student populations, educational equity, curriculum breadth and depth, and congruence of instructional strategies and assessments with district content standards. If a teacher does discover bias in a certain material he/she must also then develop appropriate activities, lead discussions or provide additional material to provide balance and context.

All staff will receive bias training information in annual Civil Rights training. Materials will include a sample checklist for teachers to use when bringing educational materials into the classroom and for reviewing long-standing curriculum.

In the case that a student or parent/guardian believes that any curricula or supplementary material is inappropriate for a school setting, the district encourages families to share their perspective so that together teachers and parents/guardians can make sense of the situation, look at it from

different lenses, and establish a resolution focusing on providing balance and context for any stereotypes depicted in materials.

Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.07(1),(4) as amended by Chapter 199 of the Acts of 2011.

NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The	School Committee and	_ Public Schools	are committed to	maintaining	an education	and work
environm	ent for all school community	members. that	is free from all	forms of di	scrimination,	including
harassme	nt and retaliation. The member	s of the school c	ommunity include	the School	Committee, ei	nployees,
administr	ation, faculty, staff, students, vo	olunteers in the s	chools, and partie	s contracted t	o perform wo	rk for the
P	ublic Schools.					
discrimin disability pregnancy protected	Public Schools does not excluate against, individuals on the age, genetic information, activities activities.	basis of race, converged we military/veters, ancestry, ethr	olor, sex, sexual can status, marital ic background, n	orientation, ge status, famili ational origin	ender identity, al status, preg , or any other	religion, nancy, or category

This commitment to the community is affirmed by the following statements. The School Committee commits to:

- 1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
- 2. Encouraging 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. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
- 4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
- 5. Carefully considering, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.
- 6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The _____ Public Schools requires all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community, based on an individual's actual or perceived protected class status to: (1) harass a member of the school community through conduct or communication (e.g., physical, verbal, graphic, or written); (2) inflict, threaten to inflict, or attempt to inflict-violence; or (3) discriminate against a member of the school community. to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

Any member of the school community who is found, after investigation, to have engaged in any form of discrimination, including harassment or retaliation, against any other member of the school community, will be subject to consequences determined appropriate by the administration. Such consequences may include restorative

measures and corrective action, and/or student discipline or staff disciplinary action, up to and including student suspension and expulsion or employee termination.

Definitions

"Discrimination" is defined as the adverse treatment of an individual or group of people based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

"Harassment" is defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Discrimination and/or harassment includes, but is not limited to:

- <u>Display or circulation of written materials or pictures that are degrading to a person or group described</u> above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of PS; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment. Examples of such conduct may include any of the following:

- Written, verbal, or physical (including texting, blogging, or other technological methods);
- harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter;
- Demeaning jokes, stories, or activities directed at a target; and
- In the case of employee-to-student harassment, conduct that is designed to embarrass, distress, disturb or trouble students when submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities, or submission to or rejection of such conduct by a student is used as a basis for decisions affecting students.

"Retaliation" is defined as taking an adverse action against a member of the school community for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy. Retaliation includes, but is not limited to, coercion, intimidation, interference, punishment, discrimination, and harassment.

The Superintendent will adopt written grievance procedures to investigate and address complaints of discrimination, harassment, and retaliation. If someone has a complaint or feels that they have been A complaint

alleging discrimination, harassment and/or retaliation as defined above will be addressed promptly and pursuant to the District's applicable non-discrimination policies and procedures. However, allegations of conduct meeting the definition of sexual harassment, as defined by federal law, may be reported, and investigated pursuant to applicable Regulations under Title IX, Education Amendments of 1972.

If it is determined, after an investigation, that a member of the school community engaged in any form of discrimination, harassment and/or retaliation against any other member of the school community. PS will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action. Such consequences may include, but are not limited to, restorative measures, corrective action, and/or student discipline or staff disciplinary action, up to and including student suspension and expulsion or employee termination.

-discriminated against or harassed because of their race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or-pregnancy related condition, homelessness, ancestry, ethnic background, national origin, or any other category-protected by state or federal law, their complaint should be registered with the following individuals or the building principals:

Resources

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment Coordinator, and Grievance Officer for the School Committee, administration, faculty, staff, volunteers in the schools, and for parties who are contracted to perform work for the Public Schools, and can be reached at:

Name/Position

Address

Phone

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students in the Public Schools. In addition, the is the District 504 Coordinator, and can be reached at:

Name/Position

Address

Phone

Additionally, cComplaints allegingregarding discrimination, harassment, and/or retaliation may also be addressed to the following agencies:

Massachusetts Department of Elementary and Secondary Education

Problem Resolution System

75 Pleasant Street, Malden, MA 02148-4906

Telephone: 781-338-3700

Email: compliance@doe.mass.edu Website: https://www.doe.mass.edu/prs/

Office for Civil Rights, U.S. Department of Education

5 Post Office Square, 8th Floor, Suite 900

Boston, MA 02109

Telephone: (617) 289-0111
Email: OCR.Boston@ed.gov
Website: www.ed.gov/ocr.

Massachusetts Commission Against Discrimination

1 Ashburton Place, Room 601

Boston, MA 02108

Telephone: (617)-994-6000 Email: mcad@mass.gov

U.S. Equal Employment Opportunity Commission

JFK Federal Building

15 New Sudbury Street, Room 475

Boston, MA 02203

Telephone: 1-800-669-4000

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• The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601

Boston, MA 02108.

Phone: 617-994-6000.

• Office for Civil Rights (U.S. Department of Education)

5 Post Office Square, 8th Floor

Boston, MA 02109.

Phone: 617-289-0111.

• The United States Equal Employment Opportunity Commission,

John F. Kennedy Bldg.

475 Government Center

Boston, MA 02203.

The above- referenced agencies may also be contacted for inquiries concerning the Public Schools' policies and protocols, compliance with applicable laws, statutes, and regulations, and complaints may also be directed to the Director of Human Resources.

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

Individuals with Disabilities Education Act

Age Discrimination Act of 1975

Age Discrimination in Employment Act of 1967

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

M.G.L. 76:5

603 CMR 26.00

603 CMR 28.00

CROSS REF: ACE, Non-Discrimination on the Basis of Disability

ACAB, Sexual Harassment

GBA, Equal Employment Opportunity

IJ, Instructional Materials

JB, Equal Educational Opportunities

SOURCE: MASC December 2021

File: ACAB

SEXUAL HARASSMENT

The	School Committee and	Public Schools are committed to maintaining an education
and work	environment for all school com	munity members: that is free from all forms of harassment,
including	sexual harassment. The member	rs of the school community include the School Committee,
employee	s, administration, faculty, staff,	students, volunteers in the schools, and parties contracted to
perform w	ork for the Public Schoo	ls.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity. Lit also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Dating violence, domestic violence, and stalking, as those terms are defined by the Violence Against Women Act, also constitute sexual harassment. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion.

Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment including sexual harassment. The District will investigate , and when there is a formal complaint regarding sexual harassment within its jurisdiction. following an investigation where If it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offensces and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment above and the conditions of actual notice and jurisdiction as noted abovebelow. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant An individual who reports sexual harassment does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant Any person, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) The <u>District will be utilizing clear and convincing evidence or preponderance of the evidence, subject to limitations as the standard for investigations;</u>
- 4) The opportunity to test the credibility of parties and witnesses through <u>cross examination written</u> <u>questions</u>, subject to "rape shield" protections <u>and other legal privileges</u>;
- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K 12 schools a hearing is optional but the parties must be allowed to submitwritten questions to challenge each other's credibility before the decision maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school—can use the lower-preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Committee authorizes the Superintendent to create detailed procedures to investigate and address complaints of sexual harassment. The Superintendent, in consultation with the Title IX Coordinator, shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer District may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will,

to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation The District will send written findings to both the complainant and respondent.

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaintallegation. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the **(Name of District)** School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

List the name and phone number of the District's Title IX Coordinator
List the appropriate party by name and phone number to receive a complaint in each District School
Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

• The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601 Boston, MA 02108.

Phone: 617-994-6000.

• Office for Civil Rights (U.S. Department of Education)

5 Post Office Square, 8th Floor

Boston, MA 02109. Phone: 617-289-0111.

• The United States Equal Employment Opportunity Commission,

John F. Kennedy Bldg. 475 Government Center Boston, MA 02203.

• Problem Resolution Services

75 Pleasant Street Malden, MA 02148 781-338-3700

LEGAL REF.: M.G.L. 151B:3A

Title IX of the Education Amendments of 1972

BESE 603 CMR 26:00 34 CFR 106.44 (a), (a)-(b) 34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX

Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.

SOURCE: MASC December 2021

EQUAL ACCESS AND EVALUATION OF BIAS

Overview

The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities. It makes such changes as are indicated by the evaluation.

Evaluation of programs shall be directed by the Superintendent. Among other things, these evaluations may employ various testing programs, surveys, outside research agencies, teacher and parent information, and information about attendance and dropout rates of the district. It shall be the responsibility of the Superintendent to report periodically to the Natick School Committee on program evaluations and the progress the District is making in the attainment of its educational goals.

Evaluation of Bias

The district ensures that individual teachers in the district review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials.

The district is required to ensure that *individual* teachers in the district review *all* educational materials for simplistic and demeaning generalizations, lacking intellectual merit on the basis of race, color, disability, age, sex, gender identity, religion, national origin and sexual orientation. This goes beyond a typical review of standard curriculum materials. Teachers must review all educational materials they bring into the classroom, whether it be a news article, picture book, advertisement, etc. on an ongoing basis. The review shall include consideration of achievement results for all student populations, educational equity, curriculum breadth and depth, and congruence of instructional strategies and assessments with district content standards. If a teacher does discover bias in a certain material he/she must also then develop appropriate activities, lead discussions or provide additional material to provide balance and context.

All staff will receive bias training information in annual Civil Rights training. Materials will include a sample checklist for teachers to use when bringing educational materials into the classroom and for reviewing long-standing curriculum.

In the case that a student or parent/guardian believes that any curricula or supplementary material is inappropriate for a school setting, the district encourages families to share their perspective so that together teachers and parents/guardians can make sense of the situation, look at it from

different lenses, and establish a resolution focusing on providing balance and context for any stereotypes depicted in materials.

Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.07(1),(4) as amended by Chapter 199 of the Acts of 2011.

ITEM TITLE: Ratification of EAN Units A & B Contract

DATE: 6/13/2022 **ITEM TYPE:** Action

ITEM SUMMARY:

BACKGROUND INFORMATION:

ITEM TITLE: Vote on Extending the Vaccination Policy for Staff, Contractors, Vendors

and Volunteers

DATE: 6/13/2022 **ITEM TYPE:** Action

ITEM SUMMARY: LINK to Policy

BACKGROUND INFORMATION:

RECOMMENDATION: Move approval to extend Policy GBEF Vaccination Policy for Staff,

Contractors, Vendors and Volunteer.

ATTACHMENTS:

Description File Name Type

GBEF Vaccine Policy GBEF.pdf Cover Memo

GBEF - (INTERIM) STAFF COVID-19 VACCINATION POLICY

The District is committed to providing a safe environment for the 2021-2022 school year during the COVID-19 pandemic. According to public health experts, vaccination is the leading prevention strategy to end the COVID-19 pandemic, prevent hospitalizations and severe disease, and keep members of our school community safe. Particularly due to the inability of students to obtain vaccination until they are age-eligible, and the environment of schools where groups are gathering indoors, the District, consistent with public health guidance and the Governor's Order, shall require all staff to demonstrate that they have received full COVID-19 vaccination and maintain full vaccination as a condition of employment. A person is fully vaccinated two (2) weeks after the final dose of vaccination (1 dose for Johnson & Johnson and 2 doses for Pfizer and Moderna). This policy reflects current vaccination timelines and recommendations, should conditions change, this policy will further define "fully vaccinated."

STAFF: This policy applies to all existing and newly hired employees and staff. Staff must demonstrate that they are fully vaccinated with an FDA approved or emergency use authorized COVID-19 vaccine by October 30, 2021. Only those staff who have been granted medical exemptions under the Americans with Disabilities Act ("ADA") or have an exemption for a sincerely held religious belief (Title VII) will be exempt from this mandate. (This section is subject to collective bargaining negotiations relative to implementation and impact).

Staff who are granted an exemption must either participate in NPS provided weekly asymptomatic COVID-19 testing when provided by NPS OR provide official proof of weekly negative COVID-19 tests as a condition of employment.

Natick Public School administration will establish processes for verifying staff vaccination status, the exemption process, and testing protocols necessary to implement this policy.

OTHER CONTRACTED AND CONSULTING EMPLOYEES: This policy also includes all contracted employees and outside vendors, including food service, transportation, visiting or consulting practitioners, regardless of whether the employee has been diagnosed with COVID-19 in the past.

This policy will remain in place until rescinded by the School Committee or the conclusion of the 2021-2022 school year, whichever comes first. This Policy may be reviewed and revised in response to issuance of public health and medical recommendations regarding vaccination, including but not limited to booster shots.

ITEM TITLE: Approval of School Committee Minutes and Executive Session Minutes

of May 2, 2022

DATE: 6/13/2022 **ITEM TYPE:** Action

ITEM SUMMARY: BACKGROUND INFORMATION:

RECOMMENDATION:

ATTACHMENTS:

Description File Name Type

5-2-22 Draft 5-2-22 Draft.pdf Cover Memo

Natick Public Schools SCHOOL COMMITTEE MEETING MINUTES **May 2, 2022**

The School Committee held a meeting on Monday, May 2, 2022, at 6:00pm via an in-person and virtual meeting. Chair Collins called the meeting to order and took roll call at 6:04pm.

Members Present: Julie McDonough, Elise Gorseth, Dr. Donna McKenzie, Catherine Brunell, Cathi

Collins, Dr. Shai Fuxman

Members Missing: Hayley Sonneborn

Others Present: Dr. Anna Nolin Superintendent

Mr. Tim Luff Assistant Superintendent
Dr. Peter Gray Assistant Superintendent

Ms. Sue Balboni Director of Teaching, Learning & Innovation
Ms. Rose McDermott Executive Assistant/Recording Secretary

Chair Collins moved for approval for the School Committee to enter into Executive Session for this purpose:

1. To Conduct Strategy with Respect to Litigation, Specifically an Arbitration, Administrative Assistants, if an Open Meeting May Have a Detrimental Effect on the Litigating Position of the Public Body and the Chair so Declares;

Dr. McKenzie seconded. Chair Collins called for a roll call vote. All in favor of entering into Executive Session for this purpose:

Dr. Fuxman - Yes

Ms. Gorseth – Yes

Dr. McKenzie – Yes

Ms. Brunell – Yes

Ms. McDonough- Yes

Chair Collins – Yes

It was unanimously approved by a vote of those present 6-0-0.

Chair Collins stated that the School Committee will be returning to open session at approximately 6:35pm. The School Committee proceeded to a private room to conduct this session.

At approximately 6:35PM, the School Committee returned to Open Session

Public Hearing on School Choice

Dr. McKenzie gave details regarding the School Choice Program. Yearly, the School Committee vote to open or close the program for the year. Applications are chosen by lottery based on open slots. The program has been closed for two years. The district is reimbursed for student attendance but not at same rate as per pupil cost. The regular day school choice tuition rate is \$5,000 per student for school districts and \$8,572 per student for Commonwealth virtual schools, including a \$75 per student administrative fee. An incremental cost is also added to the tuition for each special education student reflecting the additional cost of the services that they are receiving. This amount is determined using the same methodology for specific services that is used for the special education circuit breaker program. Students are admitted and must be allowed to remain until they graduate, no matter how program develops. METCO is not a part of

this program, it is a separate desegregation, busing program. Dr. McKenzie also gave the current number of school choice student in each grade. Dr. Nolin explained the situation we have been dealing with in which the prior Superintendent made agreements with staff members and other families that allowed their children to be enrolled under School Choice. That is not the process for this program. The only way that siblings would be allowed would only be if a slot is available in the grade that the sibling is matriculating to. Dr. Nolin stated that we cannot game the system in order to make accommodations for siblings. Due to enrollment and space concerns, Dr. Nolin recommends that the program continue to be closed. We are trying to keep our class sizes as small as they can be as a recovery mechanism, she does not feel we can make a recommendation to add students at this time. The School Committee has been committed, for several years to keep class sizes smaller. Chair Collins opened the discussion up to the public. Ms. Julie Nee Belben of Framingham approached the podium. Shes has 2 children in the School Choice Program, a 2nd & a 4th grader at Brown. She has a child that is kindergarten eligible for the 2022/2023 school year. She would like her daughter to attend school in Natick with her siblings. She understands the rapid housing development in Natick has the district in extreme stretch. She understands from the School Committee perspective to keep School Choice closed but with her daughter not being able to join the Natick Schools, Ms. Belben will have 3 children at different schools. She asked for the Committee to consider the situation of families like herself. They entered the program with the understanding that siblings were guaranteed. At approximately 7:02pm, Dr. McKenzie moved to close the public hearing. Ms. McDonough seconded. The motion passed unanimously by those present 6-0-0.

Public Speak

Ms. Kim Calgo from Natick approached the podium. She discussed the volunteer and in-class events policy that requires proof of vaccination to attend. She doesn't understand why we can't accept a negative test instead of vaccination proof. She's hoping for some sort of exemption so that everyone can attend end of years events.

Announcements

Dr. Nolin announced that reaching an entire school community in today's digital and mobile world requires planning. As a district, we're examining the best methods to connect with families and our community. We're asking for your feedback via this survey as we evaluate our communications efforts. Please take five minutes to provide your input. Thank you for your insight! The following are upcoming events:

May 1-14: National Music Week

May 2-6: Teacher Appreciation Week

May 3: Eid Al-Fitr

May 5: National Teacher Appreciation Day

May 6: Kindergarten Only - No School

May 6: School Lunch Hero Day

Month of May: Asian American and Pacific Islander Heritage Month

Virtual Coffee Hour: Tuesday, May 17, 6:00 - 6:45 p.m. - regarding Dismantling Systemic Barriers for Equitable Access to Opportunity

Jazz Competition at NHS for region, Friday 5:45pm

Last Day of School was set by the School Committee. The School Committee voted Monday, April 25 to approve the last day of school as June 21, 2022 (early release) for all schools EXCEPT Lilja School. Lilja School will have a full day of school on June 21, 2022, and their last day will be on June 22, 2022 (early release). Also, the 2022-2023 school year calendar was modified. The first day of school is Wednesday, August 31 and there will be a full day of school the Friday before Labor Day, September 2.

Dr. Fuxman announced that SPARK Kindness has two events coming up – first event will be this Wednesday at 7pm via zoom, - How to Move Forward During Difficult Times and on May 11th - NY times bestselling author Jessica Lahey – How to better understand substance abuse disorder. Both events can be registered for at www.sparkkindness.org.

Presentation of Entry Plan for Director of Teaching, Learning, and Innovation

Ms. Balboni, Director of Teaching, Learning, and Innovation thanked everyone for assisting her with this process. She gave an overview and reviewed the goals of the entry plan process. She presented a summary of findings regarding students, teachers and staff, Central Office and Principals, our communication and collaboration, our organizational structure, our strengths, and growth areas. Ms. Balboni completed her presentation with what the analysis informed her of and what the next steps should be.

reviewed assignments that members of the Committee have signed on for. Some of the assignments were Dr. Fuxman will be a part of the Administrative Assistant Negotiations, Ms. Brunell will be a part of the paraprofessional negotiations and Ms. Gorseth will be a part of the food service negotiations.

Analysis of High School Writing Programs in the Region

Ms. Balboni, Director of Teaching, Learning and Innovation gave a presentation that analyzed our high school writing curriculum to determine if we are providing a rigorous curriculum. Her findings were the following: Natick has a well-structured and rigorous writing curriculum as compared to neighboring towns. Many districts are focused more on the process of writing rather than length. Through meetings with the High School English department, they are dedicated to ensuring that our students are prepared for life beyond high school and continue to assess their expectations to meet the needs of our students. All districts are incorporating the Speaking and Listening standards into their assessment of student skills, i.e. presentations, book discussions and speech writing. Many surrounding districts are finding that students are struggling post-pandemic with stamina. Some districts have adjusted the course load for English teachers to allow time for analyzing student writing to give effective feedback, including an additional block for grading. Using student performance and data we will expand the number of students allowed in workshop to address gaps in writing skills. On Demand tutoring will be available with a specific writing feedback service Grades 5-12. We will be providing study hall support for students who are experiencing Ds or Fs in English classes.

Facilities Year End Summary and Updates

Mr. Bill Spratt, Director of Facilities, gave a presentation. He reviewed strengths, weaknesses, opportunities, and threats. He reviewed the Facilities FY22 Leadership transition and department reorganization. He revealed completed, the construction and commissioning of two new buildings. He has established benchmarking data for cleaning and maintenance. He began a training program for all custodial staff. Mr. Spratt discussed the development of a five-year capital stewardship plan. He went on to review the summer of 2022 regarding operations, better summer planning, chemical change over at HS, floor care and training for head custodians. He reviewed capital projects and making progress on existing projects, code inspections and upgrades as well as roofing design, flooring, and space renewal.

Mr. Spratt completed his presentation with reviewing the future of his department.

Special Education Prepayment Overview for FY23Warrant Review

Dr. Nolin gave an Overview for FY23—she is seeking a motion to allow us to prepay up to \$2.54 million in special education collaborative and out of district tuitions. This will then allow us to develop a firmer list of grants and prepay surplus spending positions for next year. The numbers are as follows:

3 months of Private Tuition = \$1,046,244

1 year of Collaboratives = \$1,497,079

Total = \$2,543,323

Our Town Administration would like for us to prepay Special Education and not let the funds drop to free cash. This allows us to address our budgetary needs for next year. Chair Collins motioned to authorize the Superintendent to prepay up to three months of out of district special education tuition costs and up to one

year of Special Education collaborative tuition costs for FY23. Ms. Gorseth seconded. The motion passed unanimously 6-0-0.

Strategic Planning Overview

Dr. Nolin had provided the School Committee with a memo. She explained that they need to decide what process is going to be. Dr. Nolin explained that it is time now to consider the process we would like to undertake to set up the next version of the plan for the district. We have options. Her hope is that the School Committee will consider this a collaborative process with the Superintendent. They could design and execute it together. We both have aspects of responsibility for the plan. The other option would be to hire someone from the outside. There are various firms who do strategic planning work. The cost varies from \$15,000 to \$280,544. Dr Nolin seeking the direction you would like to take as we need to plan and possibly fund such a project to be executed next year throughout the year to end with a new plan launched in fall of 2023.

Consent Agenda

- 1. Approval of Updated Policies JICE, EEAG and GDQD
- 2. Approval of Donations

Ms. McDonough moved approval of the consent agenda. Dr. McKenzie seconded. It was approved by a vote of 6-0-0.

At approximately, 9:49pm, Dr. Fuxman moved to adjourn. Dr. McKenzie seconded. It was unanimously approved by those present 7-0-0.

Anna Nolin
Superintendent
Executive Secretary to the School Committee

	Rose McDermott
Attest:	Executive Assistant/Recording Secretary

Documents Provided in Novus Agenda and materials used at this meeting:

Superintendent's Presentation
Strategic Planning Overview
Facilities Year End Updates and Summaries
Teaching and Learning Presentation
2021/2022 School Year Calendar
2022/2023 School Year Calendar
Donation Report
Policies - JICE, EEAG and GDQD