



MCCPS Board of Trustees

By Laws Task Force Meeting

Amended on March 22, 2020 at 2:16 PM EDT

Date and Time

Tuesday March 24, 2020 at 6:30 PM EDT

Location

<https://us04web.zoom.us/j/3898394128>

Meeting to take place Remotely

<https://us04web.zoom.us/j/3898394128>

Agenda

	Purpose	Presenter	Time
I. Opening Items			6:30 PM
Opening Items			
A. Record Attendance and Guests			1 m
B. Call the Meeting to Order			
C. Accept Remote Meeting	Vote	Stephen Veiga	5 m
In light of the ongoing COVID-19 coronavirus outbreak, Governor Baker issued an emergency Order on March 12, 2020, allowing public bodies greater flexibility in utilizing technology in the conduct of meetings under the Open Meeting Law. This committee makes a motion to accept this Executive Order for this meeting of the ByLaws Task Force, on March 24, 2020.			
D. Approve Minutes	Approve Minutes	Stephen Veiga	1 m
Approve minutes for ByLaws Task Force Meeting on November 4, 2019			
II. Bylaws Review Task Force			6:37 PM
Bylaws Review Task Force			

	Purpose	Presenter	Time
A. Discussion	Discuss	Artie Sullivan	90 m
Discussion of By-Laws			

III. Other Business

IV. Closing Items

A. Adjourn Meeting	Vote
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Coversheet

Approve Minutes

Section: I. Opening Items
Item: D. Approve Minutes
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for ByLaws Task Force Meeting on November 4, 2019

APPROVED



MCCPS Board of Trustees

Minutes

ByLaws Task Force Meeting

Date and Time

Monday November 4, 2019 at 5:30 PM

Location

MCCPS, 17 Lime St

Committee Members Present

Artie Sullivan, Christopher Riegle, Karl Smith, Pam Ferris, Peter Cohen, Rodolphe Herve, Stephen Veiga

Committee Members Absent

None

I. Opening Items**A. Record Attendance and Guests****B. Call the Meeting to Order**

Artie Sullivan called a meeting of the Bylaws Review Task Force Committee of MCCPS Board of Trustees to order on Monday Nov 4, 2019 at 5:32 PM.

C. Approve Minutes

Karl Smith made a motion to approve minutes from the By Laws Task Force Meeting on 10-09-19 By Laws Task Force Meeting on 10-09-19.

Stephen Veiga seconded the motion.

The committee **VOTED** unanimously to approve the motion.

II. Bylaws Review Task Force

A. Discussion

Discussion of Bylaws

III. Closing Items

A. Adjourn Meeting

Stephen Veiga made a motion to adjourn the meeting.

Pam Ferris seconded the motion.

The committee **VOTED** unanimously to approve the motion.

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 7:00 PM.

Respectfully Submitted,
Artie Sullivan

Documents used during the meeting

None

Coversheet

Discussion

Section: II. Bylaws Review Task Force
Item: A. Discussion
Purpose: Discuss
Submitted by:
Related Material: BYLAWS Working Copy, 2020-March-11.docx

By-Laws of the Marblehead Community Charter Public School

ARTICLE I

Purposes

Section 1: Recognizing that it takes an entire community to educate a child, the mission of the Marblehead Community Charter Public School (hereinafter the School or MCCPS) is to create a partnership among community members, teachers, parents, and students that will provide our early adolescents with the support necessary to reach their highest individual potential intellectually, artistically, socially, emotionally, and physically, so they are highly contributing members of our democratic society; and to provide a laboratory for examining, developing, and fostering the interrelatedness of the school as a learning community and the community as a learning environment.

Section 2: MCCPS is a public entity established by the granting of a charter by the Commonwealth of Massachusetts (hereinafter the State), pursuant to MGL Chapter.71, §89.

ARTICLE II

Board of Trustees

Section 1: The Board of Trustees (hereinafter the Board) shall consist of at least nine (9) Trustees and not more than fifteen (15) Trustees. In alignment with the School's Charter, "MCCPS is to be a teacher-led, student-focused school, staff members will be an integral part of every aspect of school operations." MCCPS teachers and staff members (hereinafter "Teachers") are encouraged to serve on the Board. The Board of Trustees shall include at least one current Teacher, and one parent of a current Charter School student as members. Teachers can hold up to three of the seats on the Board. The Teacher Trustees will comply with the State Conflict of Interest Laws, M.G.L. 268A. The chief staff person, as an ex officio member of the Board, is not considered a "Teacher" for the purpose of this limitation. All Trustees shall have identical rights and responsibilities, except where otherwise determined in these By-Laws. The Board is a public entity and its members are each considered special State employees pursuant to Massachusetts law. The Board holds the charter from the State and is responsible for ensuring that the policies of the School:

- (a) comply with all applicable laws and regulations; and
- (b) ensure that the school is an academic success, organizationally viable, faithful to the terms of its charter, and earns charter renewal.

Section 2: Board members shall be sought who reflect the qualities, qualifications, and diversity determined by the needs of the Board. The Board of Trustees may not discriminate against potential members on the basis of age, sex, sexual orientation, gender identity, race, national origin, ancestry, religion, marital status, or non-disqualifying handicap or mental condition.

Section 3: The Governance Committee shall present the qualifications of potential Trustees to the Board for review, discussion, and vote at any regularly scheduled Board meeting. Any Trustee positions to be filled on the Board shall be by an affirmative vote of a majority of the sitting Trustees attending the meeting, including those members of the Board who participate remotely in compliance with the legal requirements as set forth in M.G.L.c. 30A, section 20 (d), and 940 CMR 29.10 (the Open Meeting Law and the supporting Regulations).

Section 4: Trustees shall take office upon approval by the State. Trustees shall serve a term of three (3) years from the date of their appointments, or until their successors are seated. After appointment, the term of a Trustee may not be reduced by a vote of the members of the Board except for cause as specified in these By-Laws, and removal shall follow the procedures as set

forth in Article 2, section 7. No Trustee shall serve more than two (2) consecutive, three-year terms. Fulfilling an incomplete term is not considered part of the term limit. Trustees shall serve staggered terms in order to maintain Board continuity and ensure new perspectives.

Section 5: Any vacancy occurring in the Board of Trustees may be filled, upon recommendation of a qualified candidate by the Governance Committee, by the affirmative vote of the majority of a quorum of Trustees in attending the meeting, including those members of the Board who participate remotely in compliance with the legal requirements as set forth in M.G.L.c. 30A, section 20 (d), and 940 CMR 29.10 (the Open Meeting Law and the supporting Regulations) A Trustee nominated to fill the vacancy shall be appointed for the unexpired term of their predecessor.

Section 6: A Trustee may resign at any time by filing a written resignation with the Chair or the Clerk of the Board. Such resignations shall be effective upon receipt. A Trustee who misses three regularly scheduled meetings of the Board of Trustees without cause during one academic year may be subject to removal pursuant to Section 7. Their place on the Board of Trustees shall be filled pursuant to Section 5 above.

Section 7: The Board may remove any Trustee for cause by two-thirds (2/3) vote of the entire Board of Trustees, including those members of the Board who participate remotely in compliance with the legal requirements as set forth in M.G.L.c. 30A, section 20 (d), and 940 CMR 29.10 (the Open Meeting Law and the supporting Regulations) at any regular or special meeting of the Board, provided that a statement of the reason or reasons for removal shall have been mailed by Registered Mail to the Trustee proposed for removal at least thirty (30) days before any final action is taken by the Board. This statement shall be accompanied by a "Notice" of the date, time, and location the Board is to vote on the removal. The Trustee shall be given an opportunity to be heard and the reasons for their removal are to be discussed and considered by the Board at the date, time and location designated in the "Notice".

Section 8: Members of the Board of Trustees:

- (a) Shall receive no payment or honoraria for services provided as a Trustee, except for reimbursement for reasonable out-of-pocket expenses incurred in the performance of voluntary School activities in accordance with School policies.
- (b) Shall serve the School with the highest degree of undivided duty, loyalty, and care and shall undertake no enterprise to profit personally from their position with the School.
- (c) Shall comply with any and all State law governing Conflicts of Interest.
- (d) Shall have no direct or indirect financial interest in the assets or leases of the School; any Trustee who individually or as part of a business or professional firm is involved in business transactions or provides professional services to the School shall disclose this relationship and shall not participate in any vote taken with respect to such transactions or services.

Section 9: Powers

The Board of Trustees shall oversee the affairs of the School and shall exercise all of the powers of the School, except as otherwise provided by law, by the Charter, or by these By-Laws. The Board of Trustees reserves itself alone the power:

- (a) to ensure that the School's focus and mission is in accordance with the Charter and By-Laws;
- (b) to purchase or sell real estate, rental and/or lease of property and enter into contracts related to any such matters;
- (c) to pledge, assign, create liens on or security interests in the real or personal property of the School;
- (d) to establish or modify investment policies;

- (e) to ensure the School is in compliance with the State requirements for core curriculum;
- (f) to select, appoint, evaluate and/or remove the School's chief staff person;
- (g) to delegate, from time to time, powers to the School's chief staff person in accordance with these By-Laws except as otherwise provided by law or by the Charter;
- (h) to propose amendments to the Charter to the State;
- (i) to determine that school policies comply with federal and state laws; and
- (j) to oversee the financial affairs of the school and approve the annual budget.

ARTICLE III *Officers*

Section 1: There shall be four (4) elective Officers of the Board: a Chair, a Vice Chair, a Treasurer, and a Clerk.

Section 2: The Officers shall be nominated from among members of the Board. Members of the Board shall present qualifications of potential Officers to the Board for review discussion, and vote at the Board's annual meeting. Officers shall be elected by an affirmative vote of a majority of the Trustees in attendance at the annual meeting, including those members of the Board who participate remotely in compliance with the legal requirements as set forth in M.G.L.c. 30A, section 20 (d), and 940 CMR 29.10 (the Open Meeting Law and the supporting Regulations). The School's chief staff person may not serve as an Officer of the Board.

Section 3: The newly elected Officers shall take office on July 1 following the close of the previous fiscal year. Board Officers shall be elected for a term of one year or until respective successors assume Office. A Trustee may serve more than one (1) term in the same office, but not more than three (3) consecutive terms in the same office.

Section 4: The Trustees may remove any Board Officer without cause, by an affirmative vote of a majority of the Trustees in attendance at a publicly posted meeting. Any Board Officer may resign from their position at any time by providing oral notice at any meeting of the Board and/or by providing written notice to the Board Chair. Any time a Board Officer position becomes vacant due to removal or resignation, the Trustees shall review and discuss the qualifications of potential Successors to fill that vacancy from among the members of the Board. Any new Board Officer shall be elected by an affirmative vote of a majority of Trustees then in attendance, including those members of the Board who participate remotely in compliance with the legal requirements as set forth in M.G.L.c. 30A, section 20 (d), and 940 CMR 29.10 (the Open Meeting Law and the supporting Regulations). Any newly elected Board Officer shall serve out the term of their predecessor. Fulfilling an incomplete term is not considered part of the term limit as a Board Officer.

Section 5: The Board Chair shall prepare the agenda and be responsible for disseminating necessary documents to be discussed at regular, special, and emergency meetings of the Board. The Chair shall preside at all meetings of the Trustees except as the Trustees shall otherwise determine. The Chair is responsible for managing the Board's development of strategic and accountability plans. The Chair shall work in collaboration with the School's chief staff person to develop such reports as are necessary to keep the Board and community informed about the School's operations. The Board Chair shall serve as an Ex-Officio member of all Committees and

Task Forces. The Chair shall have such other powers and duties as are usually incident to that office and as may be vested in that office by these By-Laws or by the Trustees. A member of the School's faculty or staff may not serve as the Board Chair.

Need to add section on new responsibilities on remote participation, role call votes, etc. Need section on technical difficulties – needs to follow AG requirements.

Section 6: The Vice-Chair shall understand and fulfill the responsibilities of the Board Chair in the event the office of the Chair becomes vacant, or the Chair is unable to perform their duties. The Vice-Chair shall have such powers and duties as are usually incident to that office and as the Trustees may from time to time designate.

Section 7: The Treasurer shall oversee all financial operations of MCCPS and shall be subject to the direction and control of the Board. The Treasurer shall oversee and ensure that full and accurate books and records of the accounts of the School are maintained and shall oversee all School funds, securities, and valuable documents in accordance with School policies, as well as federal and state laws. The Treasurer shall oversee all preparation of, and filings of financial documents required by federal law, state law, the Internal Revenue Service and any other governmental or regulatory agency. The Treasurer shall serve as the Chair of the School's Finance Committee or recommend to the Board for appointment an alternative Chair of the School's Finance Committee; and ensure that the Finance Committee complies with School policies, as well as federal and state laws. The Treasurer shall present reports to the Board at its regularly scheduled meetings, or whenever else a report may be required, updating the Board on all financial matters and including a balance sheet which sets forth current assets and liabilities of the School. The Treasurer should also provide reports on income statements and cash flow projections, as well as provide an explanation of the expenditures of the School in which the Board may have an interest, or which may be of interest to the Community. All such reports shall be made available to the Trustees and are considered public record. A member of the School's faculty or staff may not serve as the Treasurer.

Section 8: The Clerk shall record and maintain accurate records of the Board's meetings, including special meetings, emergency meetings, and executive sessions. It shall be the Clerk's duty to prepare a record of each meeting setting forth the date, time and place of the meeting, and recording the members present or absent, and action taken at each meeting, including the results of any votes. Records from executive sessions shall be withheld from public inspection for so long as the need for secrecy that justifies the executive session in the first place still applies, but no longer. The Clerk shall ensure that all records of the Board are maintained in a book, a series of books, or online tool kept for that purpose and are in compliance with MGL Chapter 30A, sections 18-25. The Clerk shall provide Notice of meetings of the Board as is required in these By-Laws and in compliance with the MGL Chapter 30A, sections 18-25. In the absence of the Clerk at any meeting of the Board, the presiding Officer shall designate a Trustee to perform any and all of the duties of the Clerk for that meeting and thereafter until the elected Clerk is able to resume their duties, or a new Clerk is elected by the Board in accordance with Article III, Section 4. In the event there are vacancies in the positions of Chair and Vice-Chair of the Board, the Clerk, if eligible, shall assume the duties of the Chair until such time as a new Chair is elected by the Board in accordance with Article III, Section 4.

Add section on additional responsibilities now required for remote participation – quorum, attendance, etc. See Cindy's notes.

Section 9: In the event the office of the Chair becomes vacant, the Vice-Chair, if eligible, shall become interim Chair until a scheduled meeting of the Board can be held. In the event the office of Vice-Chair, Clerk, or Treasurer becomes vacant, the Chair shall appoint interim Officers to fill such vacant offices until a scheduled meeting of the Board can be held. Vacancies will be filled at that scheduled meeting in accordance with Article III, Section 4 of these By-Laws.

ARTICLE IV

Meetings

Section 1: All meetings of the Board shall be conducted in accordance with Chapter 30 of the Massachusetts General Laws, §§ 18-25 and Chapter 30A, section 20 (d), and 940 CMR 29.10 (the “Open Meeting Law”), as the same may be amended from time to time, or any successor statute.

Section 2: Regular meetings of the Board may be held at such times as the Board may determine. Meetings shall be held at the principal offices of MCCPS or at such other place within Massachusetts that the Board may determine. The Board will meet at least nine (9) times annually and at least once a quarter. The frequency and the schedule of the meetings are specified by the Policies.

Section 3: The annual meeting of the Board of Trustees shall occur in June. Notice shall be given to each Trustee in accordance with Massachusetts Open Meeting Law. Public notice of said meetings shall be given pursuant to MGL Chapter 30A, sections 18 to 25 and 940 CMR 29.10.

Section 4: Special meetings of the Board of Trustees may be called by the Chair or by a majority of the Board filing a written request for such a meeting with the Chair and stating the agenda, date, and hour of the meeting. Notice of said meetings shall be posted pursuant to MGL Chapter 30A, sections 18-25 to the public. The Trustees will be notified by the Chair.

Section 5: The Board may call Emergency Meetings in compliance with MGL Chapter 30A, sections 18-25 and applicable case law. An emergency meeting is a public meeting, although, the Board need not comply with the Notice requirements as set forth in these By-Laws and/or pursuant to MGL Chapter 30A, sections 18-25. Notice of an emergency meeting should, however, be posted to the extent possible. An “emergency” is a pressing necessity, an exigency, a sudden and unexpected happening, an unforeseen occurrence or condition, an event or combination of circumstances that calls for immediate action. The subject matter to be discussed at the emergency meeting is strictly limited to that necessitated by the emergency. No other business may be discussed at an emergency meeting.

Section 6: A majority of the Trustees then in office shall constitute a quorum for the transaction of business at any regular, special, or emergency meeting of the Board of Trustees, except where otherwise required by these By-Laws including those members of the Board who participate remotely in compliance with the legal requirements as set forth in M.G.L.c. 30A, section 20 (d), and 940 CMR 29.10.

Section 7: The Board shall select its own meeting format in any method allowed by State law. Any such meeting, whether regular, special, or emergency complying with Sections 1, 2, or 3 of Article IV, shall constitute a meeting of the Board of Trustees and shall subscribe to the policies, procedures, and rules approved by the Board.

Section 8: Notice of all annual, regular or special meetings of the Board, an agenda of all items to be discussed at such meetings, and agenda support materials shall be circulated to all Trustees prior to the meeting. The attendance of a Trustee at any meeting shall constitute a waiver of notice of such meeting, except where a Trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Section 9: A member of the Board, Committee or Task Force may participate remotely in a meeting provided that such participation complies with the requirements as set forth in M.G.L.c. 30A, section 20 (d), 940 CMR 29.10 including, but not limited to, attending the meeting would be unreasonably difficult based on the current criteria stated **within the law XXX (cite specific reference)**.

Section 10: A simple majority vote of the Trustees present at the meeting is required for the Board to take action provided those physically present make up the quorum, unless a supermajority vote is required by these By-Laws or by any law, regulation or DESE requirement applicable to the Board including those members of the Board who participate remotely in compliance with the legal requirements as set forth in M.G.L.c. 30A, section 20 (d), and 940 CMR 29.10. The number of Trustees present for the vote has to be at least equal to the defined quorum.

Section 11: The Board shall not allow Trustees to vote by proxy.

Section 12: The Board will approve and keep a record of every meeting including the time, the date, and the location of the meeting, the members present or absent, and all actions taken at the meeting, including formal votes taken.

ARTICLE V

Staff

Section 1: The Board of Trustees shall appoint a chief staff person, who shall be responsible for carrying out the work of the School in accordance with the policies established from time to time by the Board of Trustees and pursuant to applicable federal and state laws. The School's chief staff person will be an ex officio member of the Board of Trustees, with all rights and responsibilities as other Trustees, except that the chief staff person may not vote on any matter regarding their own employment, compensation, discipline, retention, or removal and may not serve as an Officer of the Board. As an Ex officio member, the chief staff person has exactly the same rights and privileges as do all other Trustee except as otherwise stated in these By-Laws including the right to vote on matters and to be counted when determining whether a quorum is present.

Section 2. The School's chief staff person shall have sole authority to exercise managerial powers over the day to day operations of the school and to select, appoint, evaluate, and/or remove the school faculty and staff in accordance with applicable federal and state laws and general School policies.

ARTICLE VI

Committees and Task Forces

Section 1 The Board shall have the power to create Board Committees or Task Forces as it may from time to time deem necessary, pursuant to a vote by a majority of the Trustees in attendance at the time of the vote. Committees or Task Forces shall be composed of at least three members, one of which must be a Trustee, who is the Chair, and may include other Trustees and community members, as determined by the Board. **A Committee or Task Force Chair may serve more than one (1) year term, but not more than three (3) consecutive year terms.** The Board shall approve Committees or Task Force members annually. The Board shall define and delegate the powers and duties of each Committee or Task Force it creates. Every Committee or Task Force shall prepare reports to be submitted and presented by a representative of that group to the Board at each regularly scheduled Board meeting, or as may be required by the Board at special and/or emergency meetings. The reports shall inform the Board of the members on the Committee or Task Force, what work the Committee or Task Force has done, what work still needs to be accomplished, and the time frame for completion of remaining work. The Board shall regularly assess and evaluate the need for continuation of specific Task Forces or Committees and dissolve them when they are no longer necessary or fulfilling the needs of the Board. The duties of an existing Task Force or Committee may be expanded to meet new requirements as defined by the

Board.

Section 2: There shall be a Governance Committee, which is created by and responsible to the Board. Committee members shall be appointed and may be removed by a majority vote of the Board at a regular or special meeting. The Chair of the Committee shall be chosen from among the current Trustees. Committee members shall be appointed and may be removed by a majority vote of the Board at a regular or special meeting. The Governance Committee shall prepare reports to be submitted and presented by its chair, or a representative designated by its chair, to the Board at each regularly scheduled Board meeting, or as may be required by the Board at special and/or emergency meetings. The reports shall inform the Board of work done by the Committee, what it is working on, the time frame for completion of remaining work, and of any other matters that are within its jurisdiction.

The duties of the Governance Committee shall include but not be limited to the following:

- (a) To conduct a periodic review of the By-Laws and Charter, and to make recommendations to the Board;
- (b) To determine skills and qualities that would be useful for future Board members and identify potential candidates who possess those skills and qualities and present the best qualified candidates to the Board as nominees to fill vacant positions on the Board as they become available;
- (c) To provide training and orientation to new and existing Trustees on the Charter, By-Laws, policies and procedures;
- (d) To develop and oversee a Trustee assessment process to ensure optimum performance;
- (e) Develop necessary policies and procedures, which shall be approved by the Board, to accomplish these duties.

Section 3: There shall be a Finance Committee, which is created by and responsible to the Board. Committee members shall be appointed and may be removed by a majority vote of the Board at a regular or special meeting. The Treasurer shall serve as Chair of the Finance Committee or will recommend to the Board an alternate Chair for appointment, who shall be elected by an affirmative vote of a majority of Trustees then in attendance. Ex-officio members of the Finance Committee shall be the Chair of the Board and the School's chief staff person who shall serve along with other Trustees and non-Trustees who shall be appointed, and may be removed by a majority vote of the Board at a regular or special meeting. Except for the chief staff person, the ex officio members have exactly the same rights and privileges as do all other Finance Committee members, including the right to vote on matters and to be counted when determining whether a quorum is present. The chief staff person shall have no voting privileges. The Finance Committee shall ensure compliance with all appropriate federal and state laws.

The duties of the Finance Committee shall include but not be limited to the following:

- (a) Assist and advise in preparing an annual budget for the charter school in collaboration with the School's chief staff person.
- (b) Develop and annually revise a five-year financial forecast and develop long-range financial plans based on the forecast in collaboration with the School's chief staff person
- (c) Review all unanticipated expenditures over limits set by policy and inform the Board.
- (d) Arrange for an annual independent audit with submission of the same to the Board for approval.
- (e) Report financial status and/or results for the most recent current period, year-to-date activity and forecasted cash flows for the end of the next reporting period to the Board at regular meetings of the Board.
- (f) Develop necessary policies and procedures, which shall be approved by the Board, to accomplish these duties.

Section 4: There shall be a Personnel Committee, which is created by and responsible to the Board. Committee members shall be appointed and may be removed by a majority vote of the Board at a regular or special meeting. The Chair of the Committee shall be chosen from among the current Trustees. This Committee assumes the responsibility for advising the Board on matters pertaining to the School's chief staff person. This responsibility shall, in no way, interfere with the authority of the School chief staff person to hire, supervise and terminate the remaining staff of the School, in accordance with federal and state laws and School personnel policies.

The duties of the Personnel Committee shall include but not be limited to the following:

- (a) Develop for Board review and approval the annual process for the evaluation of the School's chief staff person
- (b) Develop necessary policies and procedures, which shall be approved by the Board, to accomplish these duties.

Section 5: Duties of Standing Committees shall include:

- 1) Selecting goals and actions for the academic year
- 2) Submitting goals to the Chair of the Board of Trustees
- 3) Filing reports at the end of each academic year and as requested by the Board
- 4) Adhering to MCCPS Policies and Procedures
- 5) Committees recommend updates to respective duties, policies and procedures

ARTICLE VII *Fiscal Year*

The fiscal year of the School shall begin on July 1 of each year and terminate on June 30 of the following year.

ARTICLE VIII *Rules of Order*

Except where they may be in conflict with the laws of the State or the Charter or By-Laws of the School, the rules of order in the current edition of Robert's Rules of Order, Newly Revised (10th Edition) RONR, dated November 14, 2000 shall govern the conduct of all meetings of the School.

ARTICLE IX *Non-Discrimination*

The MCCPS is an equal opportunity education institution and will not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, genetic information, disability or veteran status in its admissions procedures, educational programs, services, activities or employment practices as required by Title VI, Title IX, Section 504 and/or any other applicable federal statute.

MCCPS will assist students who have Limited English Proficiency to participate in all programs, services and activities.

For information regarding civil rights, admissions, grievance procedures, bilingual education and accessibility of programs, services, activities and facilities that are usable by persons with disabilities, contact the Head of School, MCCPS, 17 Lime St, Marblehead, MA 01945.

ARTICLE X
Grievance Procedures

- (1) Any parent, guardian, or other individuals or groups who believe that the School has violated or is violating any provision of M.G.L. c. 71, §89, or 603 CMR 1.00 may file a complaint with the Board.
- (2) The Board shall respond in writing to the complaining party no later than 45 days from receipt of the complaint.
- (3) The Board shall, pursuant to a complaint received under 603 CMR 1.09, or on its own initiative, conduct reviews to ensure compliance with M.G.L. c. 71, §89, and 603 CMR 1.00. The School and the specific individuals involved shall cooperate to the fullest extent with such review.
- (4) A complaining party who believes that complaint has not been adequately addressed by the Board may submit the complaint in writing to the Commissioner of Elementary and Secondary Education, who shall investigate such complaint and make a written response.
- (5) In the event that a School is found in violation of 89 M.G.L. c. 71, §89, or 603 CMR 1.00, the Commissioner of Elementary and Secondary Education, or the Board of Elementary and Secondary Education may take such action as it deems appropriate, including but not limited to suspension or revocation of the charter, or referral of the matter to the District Attorney, the Office of the Attorney General, or any other appropriate agencies for action.
- (6) A parent, guardian, or other individuals or groups who believe that the Schools have violated or is violating any state or federal law or regulation regarding special education may file a complaint directly with the Department of Elementary and Secondary Education.

ARTICLE XI
Indemnification

The School shall indemnify its Trustees, Officers, employees, and volunteers to the fullest extent permitted by the laws of the State and/or pursuant to any School insurance policies.

ARTICLE XII
Amendments

The Charter or these By-Laws may be amended at a regular or special meeting by a two-thirds (2/3) vote of all Trustees then in office; provided that notice of the proposed amendment, together with a copy thereof, is mailed to each Trustee at least fifteen (15) days prior to the meeting at which the amendment is to be considered. Public notice of said meeting shall be given pursuant to MGL Chapter 30A, sections 18-25. All amendments to these By-Laws are subject to the approval of the State. All amendments approved by the Board shall be submitted to the State for approval within thirty (30) day of the affirmative vote of the Board.

ARTICLE XIII
Miscellaneous

These By-Laws are intended to supersede all prior By-Laws. These By-Laws take effect upon the approval of the Commissioner of Education.