

MINUTES – WAYLAND SCHOOL COMMITTEE  
Regular Meeting – September 8, 2015

A Regular Meeting of the Wayland School Committee was held on Tuesday, September 8, 2015, at 7:00 P.M. in the School Committee Room of the Wayland Town Building.

Present were:

Ellen Grieco, Chair  
Barb Fletcher, Vice Chair (arrived at 7:20 p.m.)  
Donna Bouchard (arrived at 7:02 p.m.)  
Jeanne Downs  
Kathie Steinberg

Also:

Paul Stein  
Superintendent

Brad Crozier  
Assistant Superintendent

Marlene Dodyk  
Director of Student Services

Susan Bottan  
Business Administrator

Also:

Cherry Karlson, Lea Anderson, Mary Antes, Board of Selectmen  
Members of the Personnel Board  
John Senchyshyn, Human Resources Director and Assistant Town Administrator  
Sue Shilue, Health Insurance Consultant

Ben Keefe, Public Buildings Director

Maureen Tillett, Boosters  
Mark Lucier, Boosters

Chair Ellen Grieco convened the Regular Session at 7:01 p.m. and announced that the meeting is being taped by WayCAM.

As time is limited this evening, Ellen asked for a show of hands from those who would like to make a public comment. George Harris asked Ellen why a member of the School Committee was using the public comment portion of the meeting to make a statement. Ellen responded that, as a taxpayer, anyone can make a comment.

1. **Comments & Written Statements from the Public:**

George Harris commented on the Martha Jamieson lawsuit, naming the members who were on the School Committee at that time. He alleged that Barb Fletcher and Paul Stein did not inform the School Committee of the lawsuit, although it was signed by them. It is his belief that Barb Fletcher's signature was illegal because the School Committee was never informed. George also referred to past minutes that, in his opinion, were rewritten, and accused the School Department of being secretive in other instances.

Philip Cohen commented on the investigation of the non-hire of Stephen Cass. Among a series of questions that he asked the School Committee, he wanted to know who will be handling the investigation, how the investigation will be conducted, and including the investigation of coaches. He asked the Committee to release to the public any documents related to the timing of the former Athletic Director's allegations. His statement was included in the record.

Molly Upton commented on the pending development of guidelines for athletic funds. However, she asked that the School Committee put policies in place for all staff related to fiscal matters, such as donations, so that staff will be held accountable, should such policies not be followed. Molly commented that it is important that the policies and procedures are enforced because it would ensure the schools' credibility, and the residents deserve to know that their donations are being properly accounted for and spent as they are designated. Molly related a conversation that she had with an ethics expert regarding this matter.

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Jeanne Downs clarified two statements that she made at the August 17<sup>th</sup> School Committee meeting regarding the Jamieson lawsuit. Louis Jurist was not deposed as a part of the lawsuit, but was questioned by Martha Jamieson's attorney. Jeanne implied that Brad Crozier signed the settlement statement; however, he only acted as a witness to the signing of the statement. She noted that she corrected her statement with the Superintendent and Assistant Superintendent and the School Committee the following day and with the MetroWest Daily News on the day it was posted.

2. **Educational Matters:**

(a) Superintendent's Report:

Paul noted that everyone is excited to begin a new school year. Special thanks went out to the custodians, administrators, secretaries, and teachers for making sure the buildings were ready for opening day. Paul commented that the transition to three K-5 schools has been completed, and all families who requested full day kindergarten have been accommodated this year because of the buffer zones in place and the work of Brad Crozier. Enrollment is in good shape, with the exception of the 3<sup>rd</sup> grade class, which, in most classes, is above the guideline of 23. The three elementary principals will continue to monitor the numbers in 3<sup>rd</sup> grade.

Brad noted that the cost of transportation does not increase when families are bused to a school other than their "home" school.

*Barb arrived at 7:20 p.m., as she attended the warrant hearing.*

(b) Superintendent's Presentation of FY16 District Goals, including Vote to Receive the FY16 District Goals:

Paul presented a review of the FY16 district goals from an integrated approach, as the goals inform what is done centrally and are reflected in the School Improvement Plans and in the principals' Strategic Initiatives, which ultimately impact the teachers' evaluation system.

The HEART goals are as follows:

- **H**ealth & Wellness
- **E**xploration
- **A**chievement Gap
- **R**TI (Response to Intervention)
- **T**echnology Gains STEAM

These goals emerged from past HEART goals, from the School Committee summit, as well as from the work done by the School Committee subgroups. They provide a balance from year to year, allow for growth, provide focus and flexibility, and allow room for change within the subcategories, if needed. Paul noted that Exploration has replaced the Evaluation goal because the Evaluation system has been implemented and has become a part of the district's ongoing work.

Paul noted each goal's purpose and defined the strategic areas of focus for each goal.

The newly added goal of Exploration is meant to launch an exploration of potential enhancements to the school department's offerings as identified and prioritized by the School Committee, Administration, and the School Committee Summit. Paul pointed out that although these offerings are of great interest within the community, it is unlikely that they will be implemented this year. However, they will be explored further in the areas of world languages for K-6 and possible enhancements for early childhood education, such as delineation of best practices within the kindergarten curricula, the potential and challenges associated with traditional kindergarten and universal full-day kindergarten. Finally, this goal would allow for the exploration of the potential and challenges of adopting a new student information system.

*Ellen left the meeting at 7:33 p.m.; returned at 7:36 p.m.*

Beyond the district goals, are the ongoing Central Office driven goals, in which there is a continuous effort to improve the fiscal operations through the school system with an eye toward efficiency, transparency, and accountability, to foster instructional leadership by expanding the use of Instructional Rounds, and to integrate the use of District Determined Measures and student feedback into the evaluation system.

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Paul commented that in terms of his personal goals, two of his goals must tie into the HEART goals and will include a Student Learning Goal and a Professional Practice Goal. A discussion ensued regarding the Achievement Gap goal in terms of which groups of students this goal is directed towards. In response to a concern that some students may not be getting the extra help they need in some subjects and the correlation between socio-economic status and student achievement, Paul commented that he did a study for students in some socio-economic categories in terms of where they received outside extra help, if any, and particularly for math, to determine the level of high school math classes for these students. However, he has not performed this type of analysis for students in Wayland.

*Ellen left the meeting at 7:44 p.m.; returned at 7:45 p.m.*

Kathie referred to the Achievement Gap ACE Report as it relates to this discussion in terms of addressing cultural proficiency and the work being done to track initiatives to improve students' performance. Paul noted that the RTI goal is the most important as it relates to the achievement gap. He identified the purpose of the RTI goal, including the designated three tiers, and how the teachers address this issue. The ongoing issue of the problem of scheduling time for teachers to work on initiatives was also discussed.

Upon a motion duly made by Barb Fletcher, seconded by Ellen Grieco, the School Committee voted unanimously (5-0) to receive the FY16 District Goals as presented tonight by the Superintendent.

The School Committee will continue its goals discussion at a future meeting.

(c) Review of Draft School Committee Communications, including Article regarding STEAM Drafted by Jeanne Downs and Draft Food Service Program Communication by Barb Fletcher:

Jeanne distributed her article regarding STEAM for the Committee's review. High School Principal Allyson Mizoguchi noted the number of computer science courses at the high school.

Upon a motion duly made by Barb Fletcher, seconded by Ellen Grieco, the School Committee voted unanimously (5-0) to submit the "Full Steam Ahead" article as amended tonight.

The Committee discussed general titles and/or headings for all future articles. Suggestions were "Beyond the Three R's" and "The Three R's and Beyond".

Barb distributed her article regarding the Food Service Program; it will be discussed at the next meeting. Kathie's draft communication on Student Health and Safety will be distributed on September 21<sup>st</sup>.

(d) Discuss Scope of Review by Northeastern University Center for Sports in Society:

Donna asked Paul for more detail in terms of the scope of review and the survey that will be administered by the Northeastern University Center for Sports in Society, as she and some members of the public believe that the survey should be vetted by residents before it is released. A discussion ensued about the purpose of the survey and how the actual survey will be made available to the public for its input within the next week or so. Paul cited practical reasons why the timing request made it difficult to build it into the process.

This discussion was tabled to a later time in the meeting, so the Committee can meet with the Board of Selectmen and the Personnel Board.

3. **Special Matters:**

(a) Joint Discussions with Board of Selectmen and James Toomey, Esq:

1. Comparative Analysis of Premiums between the West Suburban Health Group and the Group Insurance Commission and Identify Potential Premium Cost Savings under either Alternative Group Insurance Plan:

John Senchyshyn recapped the discussion on August 3<sup>rd</sup> between the School Committee, Board of Selectmen (BOS) and Personnel Board regarding health insurance and the possibility of changing health insurance providers from West Suburban Health Group (WSHG) to the Group Insurance Commission (GIC). John was authorized by the BOS to contract the services of Cook & Company Insurance Services to study the town's options.

Ms. Sue Shilue, President of Cook & Company, made a presentation to the three boards in terms of what can be expected if the town made the switch to the GIC. Ms. Shilue noted that the company

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works with many municipalities for this purpose, including the towns of Natick, Westwood, Walpole, and Ashland and is made up of both labor and management representation. The following points were made:

- The town would give up control of bargaining the health plans in terms of insurance carriers and benefit designs, such as co-pays and deductibles.
- There are two ways to enter the GIC and Ms. Shilue did explain the differences. Prior to 2011, one had to use c. 32B, §19. Since 2011, the majority of communities have entered using c. 32B, and adopting §21-23. However, there are strict guidelines and timelines to follow, but easier to get to the end result.
- If Wayland makes the decision to enter into the GIC effective July 1, 2016, GIC must be notified by December 1, 2015. Ms. Shilue detailed the process once notification is given.
- An initial agreement could be for 3 years or 6 years. After that, subsequent agreements can be no less than 2 years. If the town opts out of the GIC, there is a 3-year waiting period to re-enter.
- There are 11 active health plans and 3 Medicare plans that are offered by GIC. Ms. Shilue elaborated further on the health plans in terms of rate increases and deductibles.
- Some of the benefits that would be lost would be the prescription drug plan Canorex and some wellness programs.
- The WSHG may eliminate the Rate Saver Plans and current benchmark plans and may in the future only offer the same benefits that the GIC offers. John did confirm that the Rate Saver Plans will, at some point, no longer be offered by the WSHG.

Ms. Shilue highlighted differences in the benefits in the Harvard Pilgrim Rate Saver Plans, such as the deductibles, specialists' co-pays, hospital admission co-pays, outpatient surgery, high tech imaging, and prescription drugs between WSHG and GIC.

The potential savings for Wayland should the town migrate to the GIC would range from \$730,000 to \$1.3M. If the town stays with WSHG, the savings would be about \$590,000.

Finally, Ms. Shilue explained that individuals and families will be affected in different ways depending on the plan chosen; thus, employees should be educated in terms of their options.

*Ellen left the meeting at 8:29 p.m.; returned at 8:32 p.m.*

The Boards asked Ms. Shilue questions in areas such as pediatric plan options, out-of-pocket maximums, why some towns chose to move out of the GIC, specific utilization history, the GIC deficit in terms of impacting rates going forward, and the difference in the individual Deltas vs. family Deltas. Although the decision to stay with WSHG or move to the GIC is the Board of Selectmen's by law, they will receive input from the School Committee, Finance Committee, and the Personnel Board after all Boards have had an opportunity to discuss this information at their future meetings. The School Committee will discuss again on September 21<sup>st</sup>.

The joint meeting ended at 8:40 p.m. The BOS members stayed regarding the next agenda item.

### 2. *Letter Submitted by Attorney Toomey of Murphy, Hesse, Toomey & Lehane regarding Statutory Authority for Certain Revolving Accounts:*

In May the BOS and School Committee retained the services of Attorney Jim Toomey to research and to provide legal advice regarding ten specific revolving accounts held by the Treasurer. Mr. Toomey provided a brief summary in terms of his legal opinion regarding statutory authority of these ten revolving accounts and, based on his meeting with DESE and the Bureau of Accounts, he reviewed his recommended actions to ensure that these accounts are maintained in compliance with the law as interpreted by the Bureau. Mr. Toomey noted that, as an exception to the general rule, money deposited into these revolving accounts can be spent without Town Meeting appropriation and without being added to the budget.

Mr. Toomey commented that c.71, §71E provides for accounts such as, Adult Education and Building Use. These accounts must have Town Meeting acceptance of this statute. However, funds that fall

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under c.71, §26A to 26F can be held in the revolving accounts without Town Meeting acceptance. Section 47 did allow fees to be maintained for athletic activities and was expanded over the years to include fees that were not allowed by §71. Section 26B covered extended day programs.

Mr. Toomey noted that Pegasus could be classified as a summer school program and is a §71E account or it could fall under §47 as an activity account. After consulting with the DESE and the Bureau of Accounts, Mr. Toomey agreed with their findings that Pegasus be classified under §71E. In addition, it was recommended that the Professional Development and Curriculum funds should be identified by a more general statute, as they are considered departmental revolving funds and should be set up yearly at Annual Town Meeting. There is a maximum amount based on the tax levy that can be maintained in a single department, and a staff member must be designated to expend these funds.

A number of these accounts need to be approved by DESE and by the Board of Selectmen so that the programs can be offered in the town of Wayland. Recognizing that this is a process, DESE noted that the past acceptance and use of funds is acceptable to them, and the funds can be maintained until the proper administrative steps are taken.

Donna noted her observation that Mr. Toomey did not include c.44, §53 in his written opinion. She asked Mr. Toomey who was present at the meeting with the DESE and Bureau of Accounts. Mr. Toomey gave an account of what was discussed at this meeting, as well as the timing in which to rectify these accounts.

Ellen clarified that the four accounts that have not completed the administrative tasks in terms of statutory authority are Building Use, Pegasus (possibly), and Professional Development and Curriculum. Mr. Toomey further stated that if these accounts were not reserved, they would go into the General Fund. The Bureau of Accounts would follow its normal procedure and allow the town to complete the formalities for this year. If action is not taken now by the town at Town Meeting, it is questionable how the Bureau would respond in June of next year.

A discussion ensued in terms of the scope of Mr. Toomey's work regarding the statutory reference of these accounts.

Further questions were asked by the BOS members. Mr. Toomey recommended that the Wayland by-laws should be checked in terms of the warrant article language. He confirmed that the word "maintenance" is appropriate warrant article language.

Barb asked how and if the taxpayers would be affected if the fee-based programs can no longer be self-sustaining under c.71, §71E. Mr. Toomey recommended increasing fees and/or using money from the school budget.

The Board of Selectmen members left at 9:25 p.m.

The statutory language for the BASE program was discussed in terms of the underlying purpose as it relates to working parents. A discussion ensued regarding these funds and if they would be deemed free cash or not going forward.

#### 4. **Educational Matters (continued):**

(a) Discuss Scope of Review by Northeastern University Center for Sports in Society:

The Committee continued their discussion regarding the survey that the Northeastern University Center for Sports in Society will be releasing to staff, students, and residents. Barb asked the School Committee how it would like to proceed with this process – allow the administrators to move forward or should the Committee oversee the survey in terms of review.

Donna reiterated her request and added that the survey should be posted by September 21<sup>st</sup>, so the public has had a chance to review it and can make public comment at the next meeting. Paul and the other Committee members disagreed with the request.

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Other members noted their reasons for supporting the administrators to move forward with the survey being done by the Center for Sports in Society. At one point in the meeting, the discussion became very intense in terms of meeting conduct and resulted in the Chair calling Donna out of order. The Chair also considered adjourning the meeting at this juncture.

Upon a motion duly made by Donna Bouchard, seconded by Kathie Steinberg, the School Committee voted (4-0-1) (Ellen abstained) to continue with the meeting.

Paul explained why the study would be derailed if the survey was posted ahead of the actual survey. He went on to say that the firm should be allowed to do the job for which it was hired, which is to solicit the public's input in many areas. This is a wholehearted effort to find out what kids and their families are experiencing relative to the athletic program. Paul added that the survey is not about the allegations that were made.

Again, Paul gave his views as to why Donna's request should not be granted, and if there was too much negativity, he would rather not continue with the survey. Based on Paul's remarks, Donna advocated that the study be stopped.

Donna moved that the School Committee meet to review the draft of the proposed survey questions. There was no second.

Upon a motion duly made by Barb Fletcher, seconded by Jeanne Downs, the School Committee voted (4-1) (Donna opposed) to support the administrators to move forward with the proposed Northeastern Study as presented to us several weeks ago and to approve the amendment to this motion.

Upon a motion duly made by Ellen Grieco, seconded by Jeanne Downs, the School Committee voted (4-1) (Donna opposed) to amend the motion to read "to *support* (instead of allow) the administrators to move forward..."

Kathie asked that any discussion related to the first motion only include new material or information.

5. **Financial Matters:**

(a) Continued Discussion of Receipt of Funds by School Employees and the Proper Deposit and Expenditure Process, including Review of Gift Policy (KCD) (taken out of order):

Jeanne commented that the Policy Subcommittee met, and Gift Policy (KCD) will be reviewed further by Town Counsel before being put out for the public's input. Three out of four school support organizations have reported their process for budgeting and expenditures – Boosters, CAPA, and the PTO – and this information was given to the School Committee. Wayland Public Schools Foundation's is forthcoming. Jeanne noted that the biggest concern brought forward during discussions has been the processing of cash.

Mark Lucier, Boosters Treasurer, commented on the Boosters guidelines that have been a work in progress over the past 1 to 2 years. The guidelines address how the General Fund is handled and the new role of helping teams with fundraising and administering the funds on their behalf. A Fiscal Sponsor Agreement is also included that outlines the Boosters' role in terms of how they support all sports teams with fundraising. Mark explained the different elements of the Fiscal Sponsor Agreement, which will create efficiencies and a better line of communication between Boosters, the AD, parents, and coaches.

(b) Receive Scope of Service and Cost Estimates for Custodial Assessment Project:

Susan solicited price quotes for a custodial services assessment. The quotes received were \$4,500 from Sanitation Services, \$7,500 from ABM, and \$25,000 from Edvocate.

As the lowest bid received, Susan outlined the proposal from Sanitation Services. Because there was a discrepancy in the bidding, the School Committee compared the scope of the three proposals. Barb also questioned the proposal whereby a credit could be issued by the company that was chosen, since it could be constituted as an incentive to produce a particular outcome. Susan added that only one of the vendors provides janitorial services outside of Massachusetts; the others do not offer janitorial services.

Ben Keefe's recommendation was to secure Sanitation Services, because he believes that any assessment that is done would not be a good financial decision. Because Sanitation Services has been providing this type

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of service to other school districts for many years, Susan leans towards them. However, she referred to the high-quality report by Edvocate for the Food Service Program. Susan will ask Sanitation Services and Edvocate for sample reports for review by the Finance Subcommittee before making a recommendation to the School Committee.

(c) Vote to Approve Draft FY17 CIPs and Receive Update regarding Outstanding Capital Projects and Capital Balances:

Ben distributed the Five-Year Capital Plan and draft CIPs. The School Committee reviewed the Five-Year Capital Plan with Ben, as there is a September 15<sup>th</sup> deadline for submission to the Finance Committee. Some of the capital improvement plans include a Loker Doors and Windows Project, Loker Floor Tile Project, Loker Furniture Replacement, Claypit Hill Furniture Replacement, Happy Hollow Furniture Replacement, Happy Hollow Floor Tile Project, Middle School Furniture Replacement, Middle School Floor Tile Replacement, and a Phone Upgrade at Happy Hollow. In addition, Ben presented CIPs for custodial equipment, a new replacement vehicle for the electrician, exterior security cameras at the high school to increase coverage for the grounds and parking lots, and the start of a planning process for high school stadium repairs. Ben elaborated on the timing and process for stadium repairs.

A discussion ensued regarding the schools' phone upgrade in terms of ability to make 911 calls and what system is in place right now. Although the Middle School wiring is not compatible for the upgrade, it was suggested that the upgrade be done at Claypit Hill and the Middle School sooner rather than later to bring all schools in compliance.

Ben noted that the total amount requested for the CIPs is \$2,470,000 for FY16 in comparison to \$2,587,589 for FY17. Ben explained the budget cycle that includes the MSBA for the Loker Doors and Windows Project, similar to that of the Claypit Hill project process.

Upon a motion duly made by Jeanne Downs, seconded by Ellen Grieco, the School Committee voted unanimously (5-0) to authorize the Finance Subcommittee to review the CIPs on the School Committee's behalf and make whatever changes necessary and submit them to the Finance Committee.

Paul noted his support for the CIPs discussed.

### 6. **Administrative/Procedural Matters:**

(a) Update on Public Matter related to Athletic Program and Allegations of the Former Athletic Director (taken out of order):

Paul noted the three areas related to the athletic program matter:

- the personnel piece
- allegations made by the former AD involving the coaches and a Title IX violation
- general athletic program issues raised by students and parents

Paul commented that the internal investigation has been completed. Susan researched the Title IX allegations and Brad investigated the allegations made toward the coaches. Paul added that personnel issues related to the coaches cannot be divulged at this time.

In terms of the Title IX allegation, Susan took a general look at participation by gender, expenditures by gender, funding by gender and compared them to the general enrollment by gender. The outcome showed that there is no evidence to support any Title IX violation. This report, also a public document, will be submitted to the OCR.

During this process and based on information from many people who came forward, Paul made the following decisions thus far.

- Informed volunteer coaches that the Gift Giving Policy applies to them in the same way it applies to teachers. Coaches were notified during the summer and re-notified more recently.
- Developed a form identifying the purpose of a fundraiser and confirmation that there is approval by the Athletic Director and Principal, with a follow-up final accounting of how the money was spent.
- Although done in the past, coaches will sign off on a form confirming that they have read and understand the guidelines for gift giving, fundraising, driving record checks, CORI requirements, and MIAA guidelines.

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- After discussion with AD Heath Rollins about coaching in general, Heath will define the roles of coaches and will consider a new tiered coaching structure. Paul explained further.
- To avoid any appearance of conflict, the head football coach will not discipline any football players. Disciplining will be the responsibility of the principal or other assistant principal. Paul elaborated.

As a result of the internal investigation, Paul commented that he has taken certain disciplinary actions with the coaches, and, again, he cannot comment about them at this time.

Finally, Paul referred to the Northeastern Study and what he hopes will be brought forward in terms of the students' experience in the athletic program and whether or not the program supports positive youth development.

In terms of the Title IX report, Jeanne asked why the football team was excluded in terms of numbers. Susan responded why she took this approach and noted that football is very different from other sports.

A member of the public proceeded to ask a question about the Title IX report. Ellen noted the meeting protocol.

Donna asked about the financing of the football summer camp at Camp Caribou. She also asked about meeting protocol in terms of questions being asked by the public during a meeting. Ellen responded.

Kathie asked if and when personnel matters referenced during Paul's report might be discussed. Although there are conflicting opinions in terms of the statutory reference for personnel matters, Ellen commented that Purpose 3 was used, and there will be a discussion in this regard this evening.

### 7. **Financial Matters (continued):**

#### (a) Vote to Approve Revised Student Activity Account Guidelines:

Upon a motion duly made by Barb Fletcher, seconded by Kathie Steinberg, the School Committee voted unanimously (5-0) to accept the revised Student Activity Account Guidelines as provided in the School Committee packets tonight.

Kathie referred to a public comment and noted that these guidelines and associated policies are in place. Barb and Jeanne confirmed that the Policy Subcommittee will be reviewing the Fundraising Policy.

#### (b) Review and Vote to Approve Student Activity Accounts for 2015-2016:

Susan reviewed the 2015-2016 student activity accounts with the School Committee. She commented that the bookkeepers will review these accounts with the principals to determine their viability in terms of keeping some or all of these accounts open. If it is determined to close some accounts, the new Student Activity Guidelines will be followed and recommendations will be made for the transfer of funds.

Susan also reviewed the trip-ship accounts with the Committee. With the exception of the High School, the Middle School and the 3 elementary schools have this type of account. A trip-ship was recently opened for Loker, as it is now a K-5 school.

Upon a motion duly made by Barb Fletcher, seconded by Donna Bouchard, the School Committee voted unanimously (5-0) to approve the 2015-2016 Student Activity Accounts as presented tonight.

#### (c) Provide Finance Subcommittee Update:

Barb provided an update of the work being done by the Finance Subcommittee.

- Continue to look at special revenue accounts and putting the budgets in a new format
- Discussions about entering budgets into Munis and should be ready for FY17
- At the request of the TCW and WSCP Directors, they will present their budgets to the School Committee earlier in the year.
- Continue to work on a long-range model
- Continue to develop criteria for review with the peer communities

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8. **Administrative/Procedural Matters (continued):**

(a) Final Review and Vote to Approve Draft of Superintendent's Evaluation for 2014-2015:

The School Committee reviewed the final edits to the evaluation. The Committee members each provided a score/rating for each goal, with a discussion for some in terms of the ratings. As members voiced their concerns about this aspect of the evaluation, Barb recommended a process by which Committee members can bring forth specific recommendations. The Committee also rated the standards as either proficient or exemplary. The Committee contributed to the language in the summary regarding the ratings.

Upon a motion duly made by Barb Fletcher, seconded by Ellen Grieco, the School Committee voted unanimously (5-0) to approve the FY15 End of Cycle Summative Evaluation Report as amended tonight.

Paul and the Committee discussed his next steps in terms of his self-assessment and goals.

(b) Discussion of Public/Media Access to Staff Welcome Speech:

As a positive statement, Ellen would like to send her staff welcome speech to the Town Crier and other news sources for publication, and she asked the School Committee for its input in this regard.

Upon a motion duly made by Barb Fletcher, seconded by Jeanne Downs, the School Committee voted unanimously to sanction Ellen to send her speech to the Town Crier and the usual distribution news sources.

9. **Administrative/Procedural Matters (continued):**

(a) Discuss and Vote to Send Response to Attorney General related to George Harris's Open Meeting Law Complaint dated August 5, 2015:

Ellen noted that the meeting notice in terms of the minutes pertaining to his Open Meeting Law Complaint were incorrectly referenced and asked the Committee how they would like to proceed. As a result, she also asked George Harris if this could be an issue and he said it wasn't. This discussion was postponed until the Consent Agenda was addressed.

10. **Consent Agenda:**

(a) Approval of Accounts Payables & Payroll Warrants:

- Wayland Public Schools Accounts Payables warrant, dated September 8, 2015, in the amount of \$264,137.65
- Wayland Public Schools Accounts Payables Student Activities warrant, dated September 8, 2015, in the amount of \$17,108.48
- Wayland Public Schools Payroll warrant, dated August 6, 2015, in the amount of \$239,011.41
- Wayland Public Schools Payroll warrant, dated August 19, 2015, in the amount of \$250,384.28
- Wayland Public Schools Payroll warrant, dated September 2, 2015, in the amount of \$1,297,190.32

(b) Approval of Minutes:

- Regular Session of August 6, 2015
- Special Session of August 17, 2015

(c) Approval of Gifts:

- Gift to WHS Water Warriors Club
- Gift of Two Carpets to Loker School

Upon a motion duly made by Barb Fletcher, seconded by Ellen Grieco, the School Committee voted unanimously (5-0) to approve the Consent Agenda without the August 6, 2015 Regular Session minutes and the August 3, 2015 Regular Session as amended.

Upon a motion duly made by Ellen Grieco, seconded by Jeanne Downs, the School Committee voted (4-0-1) (Barb abstained) to approve the August 6, 2015 Regular Session minutes as written.

11. **Administrative/Procedural Matters (continued from 9(a)):**

(a) Discuss and Vote to Send Response to Attorney General related to George Harris's Open Meeting Law Complaint dated August 5, 2015:

The School Committee resumed its discussion of this matter. The Committee will discuss and review the response in open session and the minutes in executive session.

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In response to Susan, the Committee discussed the timeline for the warrant article comments by the School Committee.

Given the lateness of the meeting, public comment was taken out of order.

### 12. **Comments from the Public:**

Stephen Cass commented on some the statements he made at the last School Committee meeting regarding fundraising, coaches handling cash, gender equity and inequity resulting from gifts from private donations and the coaching salary structure. He highlighted points that he made in letters and emails to administrators, including the dates that he submitted his concerns.

### 13. **Administrative/Procedural Matters (continued from 11(a)):**

(a) Discuss and Vote to Send Response to Attorney General related to George Harris's Open Meeting Law Complaint dated August 5, 2015:

The deadline for this response to the Attorney General is September 9. Ellen reviewed the complaint with the Committee and the timeline and the process taken by the School Committee regarding this complaint, as well as the advice given by Town Counsel. Barb recommended that the School Committee ask for another extension so that Town Counsel can recreate the timeline of the conversations in which he participated. Ellen will request another extension.

(b) Discuss and Vote to Send Response to Attorney General related to George Harris's Open Meeting Law Complaint dated August 11, 2015:

Jeanne drafted this response regarding the Martha Jamieson case. In the response, she explained why the School Committee did not need to take any action and how the insurance process works. The School Committee reviewed the response for content and language, as well as the accuracy of some statements.

Upon a motion duly made by Ellen Grieco, seconded by Kathie Steinberg, the School Committee voted unanimously (5-0) to authorize Ellen to send this response to the Attorney General regarding the Open Meeting Law Complaint of August 11, 2015 as amended.

(c) Continued Discussion of Proposed Topics and Titles for School Committee Communication Plan for the 2015-2016 School Year:

This agenda topic was passed over.

(d) Discussion regarding Submission of the Annual Town Report 2015:

The Committee discussed the possibility of asking former member Malcolm Astley to write this report. Jeanne volunteered to write the draft by September 21<sup>st</sup>.

Barb agreed to work with Carol Martin, the School Committee's liaison to the Finance Committee, to draft the comments for the warrant article related to the revolving accounts for the 2015 Special Town Meeting.

(e) Discussion of Meeting Schedule, Agenda and Future Agenda Items:

This agenda topic was passed over.

### 14. **School Committee's Report and Concerns:**

(a) Review and Discuss Open Meeting Law Complaint received on September 2, 2015 Claiming Insufficient Detail in Wayland School Public Session Agenda of August 28, 2015:

Ellen will draft the response to this complaint, which is due September 22<sup>nd</sup>. The School Committee discussed the nature of the complaint in terms of whether the subject matter noted in open session was important, given that the Committee was solely discussing waiving the attorney/client privilege. Ellen explained the attorney/client privilege as it pertains to discussions during meetings.

The Committee again discussed the members' responsibility in drafting responses to the OML complaints.

(b) Discuss and Potentially Vote to Approve Proposal Related to Delegation of Matters Related to Open Meeting Law and Review of Agendas, Executive Session Motion, and Documents Produced under the Public Records Law:

Ellen would like to develop an organizational proposal for handling Open Meeting Law complaints and public

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records requests in an effort to address the extreme amount of time being spent by some members in responding to these matters. Ellen will bring her proposal to the next meeting.

15. **Matter not Reasonably Anticipated by the Chair:**

There were none.

16. **Executive Session:**

Upon a motion duly made by Ellen Grieco, seconded by Barb Fletcher, the School Committee voted (5-0) to enter Executive Session at 12:19 a.m. for the purpose of discussing strategy with respect to threatened litigation under Title IX Anti-Retaliation Provisions and M.G.L. c. 149, §185, by the former Athletic Director against the

Wayland Public Schools and the School Committee, as permitted by M.G.L. c. 30A, §21(a)(3), as such discussion in open meeting may have a detrimental effect on the litigation position of the School Committee and an Executive Session is necessary to protect the litigation position of the School Committee; discussing strategy with respect to pending litigation under 42 U.S.C. 1983 and other statutes by John Doe against the Wayland

Public Schools and the School Committee, as permitted by M.G.L. c. 30A, §21(a)(3), as such discussion in open meeting may have a detrimental effect on the litigation position of the School Committee and an Executive Session is necessary to protect the litigation position of the School Committee; discussing strategy with respect to threatened litigation under M.G.L. c. 258 by John Doe against the Town of Wayland, as permitted by M.G.L.

c. 30A, §21(a)(3), as such discussion in open meeting may have a detrimental effect on the litigation position of the Town of Wayland and an Executive Session is necessary to protect the litigation position of the Town of Wayland; reviewing executive session minutes related to Attorney General's decision 2015-99 regarding George Harris's Open Meeting Law Complaint of September 15, 2014 and Richard Lodge's Open Meeting Law Complaint of November 24, 2014 and possible declassification of related minutes, pursuant to M.G.L. c. 30A, §22; reviewing August 28, 2014 executive session minutes related to George Harris's Open Meeting Law complaint dated August 5, 2015 and possible declassification of related minutes, as permitted by M.G.L. c. 30A, §22; and approving minutes from prior executive sessions, as permitted by M.G.L. c. 30A, §22, for the following meetings: August 6, 2015 and August 17, 2015. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Ellen Grieco, Chair	X	
Barb Fletcher, Vice Chair	X	
Donna Bouchard	X	
Jeanne Downs	X	
Kathie Steinberg	X	

The School Committee will be joined by Paul Stein, Superintendent of Schools, Brad Crozier, Assistant Superintendent, Marlene Dodyk, Director of Student Services, Susan Bottan, Business Administrator, and Diane Marobella, recording secretary.

The School Committee will reconvene in open session to conduct regular matters as noted on the meeting notice.

15. **Regular Matters (continued):**

(a) Possible Vote to Declassify Executive Session Minutes related to Attorney General's Decision 2015-99 regarding George Harris's Open Meeting Law Complaint dated September 15, 2014 and Richard Lodge's Open Meeting Law Complaint dated November 24, 2014:

This agenda item was passed over, as the Committee is unprepared at this time to address this matter.

(b) Possible Vote to Declassify August 28, 2014 Executive Session Minutes related to George Harris's Open Meeting Law Complaint dated August 5, 2015:

This agenda item was passed over, as the Committee is unprepared at this time to address this matter.

16. **Adjournment:**

Upon a motion duly made by Ellen Grieco, seconded by Kathie Steinberg, the School Committee voted unanimously (4-0) to adjourn the Regular Session at 1:22 a.m.

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Respectfully submitted,

Paul Stein, Clerk  
Wayland School Committee

Observers:

Philip L. Cohen, Wayland  
Ken Rideout, Wayland  
Stephen Cass, Wayland  
Molly Upton, Wayland  
George Harris, Wayland  
Tom Sciacca, Wayland  
Allyson Mizoguchi, WHS Principal  
Heath Rollins, Athletic Director

Corresponding Documentation:

1. Agenda & Backup Information
2. Public Comment made by Philip Cohen
3. FY16 HEART District Goals
4. Health Insurance Informational Packet
5. Legal Opinion from Attorney Jim Toomey re: Certain Revolving Accounts
6. Five-Year Capital Plan Request
  - Claypit Hill Furniture Replacement
  - Happy Hollow Floor Tile Replacement
  - Loker Floor Tile Replacement
  - Loker Door & Window Replacement
  - Middle School Floor Tile Replacement
  - High School Stadium Repairs
  - Custodial Equipment
  - Happy Hollow Furniture Replacement
  - Loker Furniture Replacement
  - Middle School Furniture Replacement
  - High School Security Cameras
7. Overview & Scope re: Custodial Services Assessment
8. Sanitation Systems Incorporated Proposal
9. Advocate Custodial Proposal
10. ABM Custodial Proposal
11. Wayland Boosters General Fund – Funding Request Guidelines
12. CAPA Budgeting/Expenditure Summary
13. PTO Budgeting/Expenditure Summary
14. WPS 2014-15 Student Activity Accounts
15. Policy KCD – School Gifts
16. Draft Superintendent's Evaluation FY15
17. Draft Response to OML Complaint of August 5, 2015
18. 2014 Annual Town Report
19. Request to Approve of Donation to the Water Warriors Club
20. Request to Approve Loker Carpet Donation
21. Regular Session Minutes of August 3, 2015
22. Special Session Minutes of August 6, 2015
23. Accounts Payables & Payroll Warrants
24. Executive Session Motion