

MINUTES – WAYLAND SCHOOL COMMITTEE

Regular Meeting – July 22, 2019

A Regular Meeting of the Wayland School Committee was held on Monday, July 22, 2019, at 10:00 A.M. in the School Committee Room of the Wayland Town Building.

Present were:

Jeanne Downs, Chair
Ellen Grieco, Vice Chair (arrived at 10:07 a.m.)
Kim Reichelt
Kathie Steinberg

Absent:

Nate Buffum

Also:

Arthur Unobskey
Superintendent

Parry Graham
Assistant Superintendent

Richard Whitehead
Director of Student Services

Susan Bottan
Director of Finance & Operations

Also:

Lea Anderson, BOS
Cherry Karlson, BOS
Louise Miller, Town Administrator

Chair Jeanne Downs convened the regular session at 10:04 a.m.; the meeting was recorded by WayCAM.

1. Comments & Written Statements from the Public:

George Harris commented on the Cass v. Wayland lawsuit in which, after several days of testimony, the court awarded Mr. Cass \$250,000 as reported by the Wayland Voters Network (WVN). He read Jeanne Downs statement, also reported by the WVN, and asked the School Committee to refer to WVN's report to be sure it is correct. Mr. Harris also noted that there are two sources of funds from which Mr. Cass could be paid: insurance money or from the taxpayers of Wayland. He asked the School Committee and/or the Board of Selectmen to clarify the source of payment in this matter. Mr. Harris's opinion is that the taxpayers will pay the settlement.

2. Special Matters:

(a) Update on Town Manager Act by Board of Selectmen:

Lea Anderson and Cherry Karlson presented an update on the Town Manager Act. After working on the Town Manager Act for the past 18 months, the Board of Selectmen recently reviewed a final draft of the Special Act: An Act Establishing a Select Board and the Position of Town Manager in the Town of Wayland, and the Board determined that the final draft can be disbursed. They have come before the School Committee to receive feedback for the purpose of presenting this special act at a future Town Meeting. Ms. Anderson distributed copies of the Act to the School Committee and noted that this draft is an update to the current Chapter 16 of the Town Administrator Special Act.

The goals of the Select Board/Town Manager Act are to professionalize the financial and reporting structure of Wayland's government, as the structure is very different from other communities, and to coordinate administrative, operational, and financial functions. In addition, there needs to be a consistent approach for efficiency, effectiveness, and transparency for all departments and boards, resources must be used effectively for personnel, time, and money, legal and regulatory compliance must be improved, and volunteer opportunities must be maintained.

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The reasons for this proposed change to town government is a result of a Collins Center Report in 2018 that stated, “At its core, the issue is that the financial management of the Town is severely fragmented in a way that reduces the Town’s efficiency, effectiveness, and transparency.” The report also noted that Wayland’s financial compliance is at risk, as explained by Ms. Anderson. However, this is not the first time that this change in the Town’s structure has been recommended which dates back to 1989 and 2002. Although Wayland is a \$90M diversified company currently, it is run like a small town from the 1900’s. Ms. Anderson explained why this is the time to change the financial and fragmented reporting structure of the Town. The organization of Wayland was displayed in terms of elected positions and appointed positions.

As part of its report, the Collins Center conducted a peer analysis of Wayland Finance Committee’s current and former peer towns, all of whom have stronger statutory management structures. The towns who operate under the Town Manager Act are Cohasset, Concord, Sudbury, and Weston.

The Act will improve government, will define and, in some areas, strengthen the Town Manager’s authority and responsibility for administration, finances, personnel, and facilities/property. Ms. Anderson described the Town Manager’s authority and responsibilities for each of these categories. Ms. Karlson noted that the School Department is an exception in these categories under Sections A, C, and E of the Act.

The Act will accomplish changing the name of Board of Selectmen to Select Board and will reaffirm its role as an executive and policy making body. It will change the name of Town Administrator to Town Manager and his/her responsibilities are defined only as stated in the Special Act, and the Town Clerk will be appointed rather than elected. Ms. Anderson listed those things that the Act does not change, including the Town Code. Ms. Anderson and Ms. Karlson reviewed the changes and status quo responsibilities of the School Department/School Committee’s in areas related to administrative contracts, hiring its own labor counsel, setting policy for education-based programs, financial budget preparation, the Capital Plan, procurement, operations and HR/hiring, IT, and facilities.

A discussion ensued in terms of the School Committee’s responsibilities to approve capital requests which are then submitted to the Finance Director and the proposed change which shifts the responsibility of the Town Manager to prepare the five-year plan with information submitted from the School Committee. The School Committee’s concerns related to school capital improvements were expressed. Also addressed was the process moving forward in the responsibilities of preparing the school operating budget.

3. Educational Matters:

(a) Discussion and Possible Vote to Approve the Athletic Handbook:

Susan reported that the first draft of the handbook has been updated and reformatted. The document includes many links which allows the handbook to be searchable and user friendly. The School Committee will decide which of their policies should be included as well. A discussion ensued in terms of the policies that may be included, such as those that refer to team fundraising and concussion protocol.

Upon a motion duly made by Kathie Steinberg, seconded by Kim Reichelt, the School Committee voted unanimously (4-0) to approve the Athletic Handbook conditional upon the update of the reference to Wayland Boosters, as appropriate, and the inclusion of the appropriate policies as referenced in the School Committee’s discussion.

(b) Superintendent’s Report:

- School Start Times Update:

Arthur informed the School Committee that he attended a Superintendent’s conference during which Social Emotional Learning was the focus with one day focusing on equity and diversity. He noted that a diversity coordinator has been invited to the Administrative Retreat and is being funded by a grant.

In terms of a school start times update, Pat Keefe continues to hire BASE staff, but is not prepared at this time to address the current waiting list of 30 students; however, progress is being made. Issues regarding transportation and parents’ concerns continue to be addressed, and a designated phone line and email address have been created. Arthur noted that “Sleep 101” will present a proposal for a possible fall presentation to the schools.

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Jeanne asked that all school websites continue to remind families of the changes in times at the start of school, and Kathie suggested that elementary letters to parents specifically state the 7:55 a.m. start time with a five-minute grace period before a student is considered tardy.

4. Financial Matters:

(a) Update on Fiscal Sponsor Agreement with Wayland Boosters Association:

Susan informed the School Committee that she will meet with Arthur, Heath Rollins and Sheila Brown to discuss the specific role and responsibilities of the Booster's moving forward for the purpose of a separation of duties and its mission. Heath will provide a job description in an attempt to recruit residents willing to participate and assist with Team Wayland's fundraising efforts.

Boosters will cease its work with team fundraisers effective July 31, 2019. Jeanne noted that, per Heath Rollins, team fundraisers will not be approved until there is a process in place. A discussion ensued in this regard, including maintaining equitable fundraising for all teams and the setup of a new non-profit organization.

(b) Review of Budget Schedule:

The School Committee reviewed the budget schedule, as some of the Committee's meetings may have to be changed, given the budget timeline. A discussion ensued regarding the budget cycle timeline as it relates to upcoming union negotiations.

(c) High School Athletic Complex Project:

- Project Status
- Opening Ceremony

Jeanne commented that the project is progressing nicely and added that the Project Manager is doing a great job in this regard. Plans for an opening ceremony at the High School was discussed with the possibility of have a ceremony in November and a more formal ceremony at the completion of the project. Jeanne will discuss this with the Permanent Municipal Building Committee and Arthur will present different options to the School Committee on August 12.

5. Finance Subcommittee Update:

(a) Discussion of Finance Committee Liaisons to School Committee:

In an effort to redefine the Finance Committee's liaison position to the School Committee during the budget process, they asked for some recommendations by the School Committee in which they could have a better understanding of the school budget, particularly before the budget process begins. In the past, there has been one liaison, but given the many aspects of the school budget, there might be a need for more than one liaison. The Finance Subcommittee suggested that the liaisons be assigned to a particular function of the budget rather than by location/building of the budget. A discussion ensued regarding the mandated parts of the budget, such as personnel and Special Education. Other parts of the budget include capital and facilities, fee-based programs and special revenue funds, programming strategies, and budget drivers and enrollment.

Kathie proposed that a School Committee member or Susan attend a Finance Committee meeting when the Schools' quarterly report is presented. Kathie explained her proposal and the Finance Committee's request further as well as her concerns in developing this complicated learning process regarding the budget. The School Committee discussed a plan in addressing the Finance Committee's request.

6. Policy Matters:

(a) Review of Policies to Put Out for Public Comment:

- BEDH – Public Comment at School Committee Meetings
- DIF – Anti-Fraud and Whistleblower Policy
- GBED – Tobacco Use on School Property by Staff Members
- GBEBD – Online Fundraising and Solicitations – Crowdfunding
- IJNDC – Internet Publication
- ILD – Student Submission to Educational Surveys & Research
- IB – Academic Freedom
- IC/ICA – School Year/School Calendar
- IE – Organization of Instruction

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- IGB – Support Services Programs
- IHA – Basic Instructional Program
- IHAM – Health Education
- IHAMA – Parental Notification Relative to Sex Education
- IHB – Special Instructional Programs and Accommodations
- IHBEA – English Language Learners
- IJ – Instructional Materials
- IJOA – Field Trips
- IK – Student Progress Reports to Parents/Guardians

Kim commented that most of the policies in Section “I” reflect minor changes from the MASC. She has not received feedback from the school attorney regarding Policy DIF; thus, she recommends postponing its approval. Attorney Bresnahan is also drafting language for Policy BEDH in light of Natick’s settlement. Kim asked that Policies BEDH, DIF, GBED, and GBEBD be included on the August 12 agenda.

Upon a motion duly made by Kathie Steinberg, she moved that the School Committee vote to put out for public comment the 14 policies listed on the agenda that begin with the letter “I”. Kathie withdrew this motion based on a discussion after the motion was made.

Upon a motion duly made by Kim Reichelt, seconded by Ellen Grieco, the School Committee voted unanimously (4-0) to approve to put out for public comment Policies IJNDC, IB, IC/ICA, IE, IGB, IHA, IHAM, IHAMA, IHB, IHBEA, IJ, and IK, but not IJOA.

7. **Administrative/Procedural Matters (cont’d):**

(a) Approval to Authorize the School Committee Chair and the Superintendent of Schools to Sign MSBA Documents related to Closing Out the Loker Windows and Doors Project:

Upon a motion duly made by Kathie Steinberg, seconded by Ellen Grieco, the School Committee voted unanimously (4-0) to authorize the School Committee Chair and the Superintendent to sign the MSBA documents related to closing out the Loker Windows and Doors Project.

(b) Discussion regarding Planning and Scheduling for Negotiations:

The School Committee discussed a timeline for union negotiations, given that Town Meeting is in early April. The goal is to try to have negotiations wrapped up by Town Meeting. According to Kevin Bresnahan, it is appropriate to have four people on the negotiations committee from the School Department. A meeting with Mr. Bresnahan is on July 31.

(c) Review of 2019-2020 School Committee Meeting Calendar:

The scheduled time for the August 12 meeting will be confirmed with the School Committee, once Nate’s schedule is determined. Given the budget cycle timeline, the Superintendent will present his 2021 recommended budget on December 9 rather than the originally scheduled meeting of December 16.

(d) Update regarding Pending Lawsuit Titled Stephen Cass v. Town of Wayland, et al, USDC D. Mass., CA No. 1:17-CV-11441:

Jeanne provided an update regarding the Stephen Cass. v. Town of Wayland litigation. Although Mr. Cass filed a seven-count complaint, only two complaints went to the jury, and when a verdict was rendered, the jury found in favor of Mr. Cass on one count only. Ellen encouraged others to follow the advice of counsel in terms of attorney/client privilege. As stated by Jeanne, the School Committee anticipates a judgment in September, and it will take any necessary actions pursuant to the judgment at that time.

(e) Review and Discussion of any Outstanding Document and/or Minutes Request:

There are no outstanding document and/or minutes requests.

(f) Review and Discussion of any Outstanding Open Meeting Law Matters:

There are no outstanding Open Meeting Law matters at this time.

(g) Discussion of School Committee Communications and Information for The Buzz:

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Kim will look into scheduling a program on The Buzz regarding school start times.

8. **Consent Agenda:**

(a) Approval of Accounts Payables & Payroll Warrants:

- Wayland Public Schools Accounts Payables Warrant, dated July 1, 2019, in the amount of \$922,436.95
- Wayland Public Schools Accounts Payables Warrant, dated July 15, 2019, in the amount of \$254,686.79
- Wayland Public Schools Accounts Payables Student Activities Warrant, dated July 1, 2019, in the amount of \$135,584.66
- Wayland Public Schools Payroll Warrant, dated July 3, 2019, in the amount of \$240,128.19

(b) Approval and Designation of Technology Equipment as Surplus for Recycling

(c) Approval of Minutes:

- Regular Session of June 17, 2019
- Regular Session of June 24, 2019

Upon a motion duly made by Kathie Steinberg, seconded by Ellen Grieco, the School Committee voted unanimously (4-0) to approve the Consent Agenda. This vote was rescinded, as Kim made minor changes to the June 17, 2019 minutes.

Upon a motion duly made by Ellen Grieco, seconded by Kim Reichelt, the School Committee voted unanimously (4-0) to approve the Consent Agenda with the modifications, as discussed by Kim.

9. **Matters not Reasonably Anticipated by the Chair:**

None.

10. **Executive Session:**

Upon a motion duly made by Jeanne Downs, seconded by Kathie Steinberg, the School Committee voted unanimously (4-0) to enter Executive Session at 12:25 p.m. for the purposes of discussing strategy with respect to Memorandum of Understanding (MOA) with Wayland Teachers' Association (WTA), as permitted by M.G.L. c.30A, §21(a)(3) and potential vote of MOA with the WTA; discussing strategy with respect to Collective Bargaining with the Wayland Teachers' Association (WTA regarding Health Insurance Payroll Deductions, as permitted by M.G.L. c.30A, §21(a)(3). The School Committee will pass over Items 1(c), 1(d), and 1(e). A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Jeanne Downs, Chair	X	
Ellen Grieco, Vice Chair	X	
Nate Buffum	absent	
Kim Reichelt	X	
Kathie Steinberg	X	

The School Committee will be joined by Arthur Unobskey, Superintendent of Schools, Parry Graham, Assistant Superintendent, Susan Bottan, Director of Finance and Operations, Louise Miller, Town Manager, Cherry Karlson, Board of Selectmen, and Diane Marobella, recording secretary.

The School Committee will reconvene in open session for adjournment purposes only.

11. **Possible Vote to Declassify Executive Session Minutes as Listed on the Agenda:**

This agenda item was passed over.

12. **Adjournment:**

Upon a motion duly made by Jeanne Downs, seconded by Ellen Grieco, the School Committee voted unanimously (3-0) to adjourn at 1:52 p.m.

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Respectfully submitted,

Arthur Unobskey, Clerk
Wayland School Committee

Corresponding Documentation:

1. Agenda & Backup Information
2. Public Statement from Jeanne Downs re: Cass Litigation
3. Draft Select Board/Town Manager Act
4. Draft Athletic Handbook
5. Policy BEDH – Public Comment at School Committee Meetings
6. Policy GBED – Tobacco Use on School Property by Staff Members
7. Policy GBEED – Online Fundraising and Solicitations - Crowdfunding
8. Policy IJNDC – Internet Publication
9. Policy IB – Academic Freedom
10. Policy IC/ICA – School Year/School Calendar
11. Policy IE – Organization of Instruction
12. Policy IHA – Basic Instructional Program
13. Policy IHAM – Health Education
14. Policy IHAMA – Parental Notification Relative to Sex Education
15. Policy IHB – Special Instructional Programs and Accommodations
16. Policy IHBEA – English Language Learners
17. Policy IJ – Instructional Materials
18. Policy IK – Student Progress Reports to Parents/Guardians
19. 2019 – 2020 School Committee Meeting Calendar
20. FY2021 Budget Schedule & Process
21. Memo & List re: Declaration of Technology as Surplus for Recycling
22. Accounts Payable & Payroll Warrants
23. Regular Session Minutes of June 17, 2019
24. Regular Session Minutes of June 24, 2019
25. Executive Session Motion