

MINUTES – WAYLAND SCHOOL COMMITTEE

Executive Session – June 30, 2014

An Executive Session of the Wayland School Committee was held on Monday, June 30, 2014, at 7:47 P.M. in the School Committee Room of the Wayland Town Building.

Present were:

Barb Fletcher, Chair
Ellen Grieco, Vice Chair (by remote)
Malcolm Astley
Donna Bouchard

Absent:

Jeanne Downs

Also:

Paul Stein
Superintendent of Schools

Brad Crozier

Assistant Superintendent

1. Executive Session:

Subsequent to a roll call vote in Regular Session on a motion brought by Barb Fletcher, seconded by Donna Bouchard, the School Committee voted unanimously (4-0) to enter Executive Session at 7:47 p.m. for the purposes of discussing strategy with respect to litigation from the Attorney General's decision regarding the Open Meeting Law Complaints filed by George Harris on June 27, 2013 and Donna Bouchard on July 1, 2013 related to the June 3, 2013 Executive Session, as permitted by M.G.L. Chapter 30A, Section 21(a)(3) and to discuss strategy with respect to collective bargaining with the custodians, as permitted by M.G.L. Chapter 30A, Section 21(a)(3), as such discussions in open meeting may have a detrimental effect on the litigation and collective bargaining positions of the School Committee and an Executive Session is necessary to protect the litigation and collective bargaining positions of the School Committee. The School Committee will reconvene in open session to conduct regular matters as noted on the meeting notice. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Ellen Grieco, Vice Chair (by remote)	X	
Malcolm Astley	X	
Donna Bouchard	X	
Jeanne Downs (absent)		

The School Committee will be joined by Paul Stein, Superintendent of Schools and Brad Crozier, Assistant Superintendent, and Diane Marobella.

Since Ellen is participating remotely, Barb asked her to state at the start of the Executive Session that no other person is present and/or able to hear the discussion at Ellen's remote location. Ellen replied that no other person is present at her location and/or able to hear the discussion.

2. Discuss Strategy with respect to Collective Bargaining with custodians, pursuant to M.G.L. Chapter 30A, §21(a)(3):

Barb commented that she and Brad Crozier met with the Board of Selectmen this evening regarding the Memorandum of Agreement (MOA) for the custodians. She noted that the only difference in the MOA from November is the increase for the new hires for uniforms and an increase in callback hours from two to four for holiday periods only. The Committee also discussed language changes; clarification is needed for some language. They also discussed which qualifications determine if a custodian is qualified for the job and who determines this. Brad commented that the principals determine the qualifications with the hiring committee.

MINUTES – WAYLAND SCHOOL COMMITTEE
Executive Session – June 30, 2014

The contract includes the same COLA's as WESA and Food Service and includes language that allows consideration for outsourcing. The Board of Selectmen also approved the MOA (4-0-1) (1 abstention). The School Committee will vote to approve the MOA in open session.

The Committee discussed when and how outsourcing will be considered. Proposals will be put forth in October in order to make a decision for the next budget cycle.

3. Discuss Strategy with respect to Litigation from the Attorney General's Decision re: Open Meeting Law Complaints Filed by George Harris on June 27, 2013 and Donna Bouchard on July 1, 2013 regarding the June 3, 2013 Executive Session, pursuant to M.G.L. 30A, §21(a)(3):

Barb updated the School Committee regarding the settlement agreement. Mark Lanza and Mark Higgins discussed the agreement and Mark Higgins took the School Committee's proposal to the Attorney General, which was to reduce the fine to \$500 with no requirement to admit to an intentional violation, but to acknowledge that the violation occurred and would not occur in the future. The School Committee would also release the portion of the minutes that they were ordered to release. After speaking to Jon Scarsic in the Attorney General's office, Mark Higgins said that they would settle on the Committee's terms.

Barb commented that although the pre-hearing conference was rescheduled to July 16th, it could be canceled if this matter is settled. A discussion followed regarding how the Board of Selectmen's settlement compared to the proposed settlement by the School Committee.

Barb noted the following options available to the School Committee:

- The Committee could put the settlement aside and continue to move toward the hearing.
- The Committee could agree to the settlement offer and Mark Lanza would work with Mark Higgins to put an agreement in place.
- The Committee could possibly come up with something in between the first two options.

The School Committee discussed these options. They also discussed an intentional vs. an unintentional violation in terms of the language cited and the omission of the statute on the agenda, what this settlement and fine would mean for other volunteer board members going forward, and how the fine would be paid if there is one.

Barb will ask Mark Lanza to attend the July 10th meeting to give the Committee more clarification before a decision is made. Paul will also provide legal costs for FY14 on July 10th.

4. Adjournment:

Upon a motion duly made by Donna Bouchard, seconded by Malcolm Astley, the School Committee voted unanimously (4-0) to adjourn the Executive Session at 8:37 P.M. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Ellen Grieco, Vice Chair (by remote)	X	
Malcolm Astley	X	
Donna Bouchard	X	
Jeanne Downs (absent)		

Ellen left the meeting (by remote) at 8:37 p.m.; returned at 8:40 p.m. in open session.

Respectfully submitted,



Paul Stein, Clerk
Wayland School Committee

MINUTES – WAYLAND SCHOOL COMMITTEE
Executive Session – June 30, 2014

- C responding Documentation:
1. Executive Session Motion
2. Custodial Memorandum of Understanding