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School Committee Minutes 06/28/2005

THE ARLINGTON SCHOOL COMMITTEE
REGULAR MEETING
TUESDAY JUNE 28, 2005
7:30 P.M.

Present: Jeff Thielman, Chair
Sue Sheffler, Vice Chair
Sean Garballey
Paul Schlichtman
Martin Thrope

CFO: Rob Addelson
Asst. Supt. Joanne Gurry
Sp. Ed. Director Marilyn Bisbicos

Absent: Committee members: Susan Lovelace, Suzanne Owayda
Superintendent: Kay Donovan

Call to order: 7:30 .Chair, Jeff Thielman noted that the School Committee many not respond directly to public comment, only take comments and suggestions under advisement and that according to policy, speakers may offer objective criticism of the school operations and programs as concern them but in public session the Committee will not hear personal complaints about school personnel or against any member of the school community.

PUBLIC PARTICIPATION

Joe Fahey 121 Park Avenue

Diane Mahon representative of the Executive Board of Pop Warner

Mike Toomey retired AHS teacher and coach.

Eileen Raison AHS parent.

All spoke to the process used in the hiring of the AHS football coach, specifically letters of recommendation not received by the screening committee, a lack of representation from Pop Warner, the Booster Club or the Touchdown Club, change in the time frame from 30 days to 21 days and the use of a different process from the last hiring.

On a motion by Mr. Garballey seconded by Mr. Thrope it was

Voted to suspend the rules of public participation to respond to the concerns relative to the AHS football coach. 5-0

Mr. Garballey voiced concern that the screening committee's process under policy GCE/GCF was not followed and made the following motion.

On a motion by Mr. Garballey seconded by Mr. Thrope it was

Voted that the School Committee and the policy and procedures subcommittee review the head coach interview and application process and to report back to the full committee and the incoming superintendent.

Mr. Thrope explained that the School Committee does not hire. The motion speaks to the process and how it relates to our policy; also that the application of our policy in that process merits review; choosing the football coach it is not our job.

Mr. Schlichtman noted that the school committee has the authority to define policy relative to hiring but does not have any say of the actual hiring. He noted that his support of the vote is for the review of the policy itself and does not have impact on who should be the football coach.

Consent Agenda All items listed with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Committee so requests, in which event the item will be considered in its normal sequence.

***Approval of Minutes: Regular Meeting Minutes of May 24, 2005**

Executive Session minutes of May 24, 2005 (removed)

On a motion by Ms. Sheffler seconded by Mr. Schlichtman it was Voted to accept the Consent Agenda

SCHOOL DEPARTMENT TRANSITION

Mr. Thielman stated that as chair he was charged to meet with Supt. Donovan and the Payroll Officer to review the records in order to make an accounting of Superintendent Donovan's vacation days to properly and fairly administer her contract. Mr. Thielman referenced the memo with the timeline information as well as a memo from Town Counsel John Maher and seven motions to address the issue.

On a motion by Mr. Thrope seconded by Ms. Sheffler it was Voted:

1. While we recognize the contributions of Superintendent Donovan to the Arlington Public Schools, the Arlington School Committee must be fair in awarding compensation to all employees. We recognize that there are differing interpretations of the February 8, 2000 vote regarding the Superintendent's buy back provision. While it is unfortunate this confusion has arisen at this late date, we conclude that it was an oversight not to memorialize the February 8, 2000 vote. We acknowledge that the February 8, 2000 vote modified the Superintendent's contract to mean that Mrs. Donovan could exercise a five-day buy back once per year. The February 8, 2000 vote did not state the buy-back was cumulative nor did it state that it could be exercised retroactively. It is therefore moved that Mrs. Donovan be entitled to buy back five vacation days for Fiscal Year 2005 only, which ends on June 30, 2005.

Unanimous vote 5-0

Julia McLaughlin payroll supervisor addressed the school committee relative to the time frame and the process on Supt. Donovan's vacation time. (attached).

Mr. Schlichtman noted for the record that the quotes in the Boston Globe were accurate but were taken out of context.

Mr. Addelson noted that his only role in the retirement process is to ensure that there are sufficient funds to cover for projected retirements. The School Committee did approve a budget revision that reflects the retirement account.

Town Counsel John Maher registered concerns over the proposed motions #6 & 7. Mr. Maher pointed out that the School Committee does not have any statutory authority over the employee retirement system. Further Mr. Maher cautioned that the Committees' use of the word "right" in those motions has the connotation that the School Committee has a right to review retirement applications and advised a clarification of the motion. Mr. Maher did state however that the School Committee could see a copy of the retirement application.

On a motion by Mr. Thrope seconded by Ms. Sheffler it was Voted:

2. That a complete accounting of the Superintendent's vacation days from initial employment through June 30, 2005 be prepared and presented to the School Committee together with original records by no later than its next meeting, July 18, 2005. The accounting shall include vacation day accrual and specific days taken each year.

Unanimous vote 5-0

On a motion by Mr. Thrope seconded by Mr. Schlichtman it was Voted:

3. That the final vacation buy back compensation (a maximum of 50 accrued days plus 5 "buy back" days for FY '05) be adjusted to an aggregate net amount that subtracts the appropriate portion of the \$9,327 already paid to the Superintendent on June 10, 2005. Said compensation shall be paid following the accounting that will be submitted to the Committee by its July 18, 2005 meeting.

Unanimous vote 5-0

On a motion Ms. Sheffler seconded by Mr. Thrope it was Voted:

4. That the Arlington School Committee regrets the Payroll Department made a determination of the Superintendent's buy-back provision by consulting with a past member of the School Committee. The intent of that School Committee vote cannot be determined by one member. As advised by counsel, it is the prerogative of the current School Committee to interpret prior School Committee votes.

On a motion Mr. Thrope seconded by Mr. Schlichtman it was Voted:

5. That Policies relating to the drafting and implementation of contracts for future Superintendents and other administrative personnel be reviewed by the Policy and Procedures Subcommittee, with recommendations for any changes coming to the full committee by no later than September 15, 2005.

Unanimous vote 5-0

On a motion by Mr. Thrope seconded by Mr. Schlichtman it was Voted

6. That a copy of the Arlington Public Schools' submission of Mrs. Donovan's retirement application to the Massachusetts Teachers Retirement Board (MTRB) be filed with the chair of by the School Committee prior to submittal.

4-1 Mr. Garballey with a no vote

On a motion by Mr. Thrope and seconded by Mr. Schlichtman it was Voted:

7. That further that the Policy and Procedures Subcommittee shall make recommendations to the full committee by September 15, 2005 of all administrative positions where retirement applications should be filed with the chair of the School Committee prior

to submittal by the School Department to the Massachusetts Teachers Retirement Board (MTRB).
Unanimous 5-0

On a motion by Mr. Thrope seconded by Mr. Schlichtman it was
Voted that the Committee express appreciation to the chair and commend him for the manner that he has handled the matter. 3-0-2 Mr. Garballey and Mr. Thielman abstain

SUPERINTENDENT'S REPORT

Revolving Accounts

Mr. Addelson outlined the need for changing the revolving accounts and reviewed the sections of the MGL that pertain to each revolving account. Mr. Addelson requested that the Committee approve the authorization of said revolving accounts.

On a motion by Mr. Thrope seconded by Mr. Schlichtman it was Voted
Voted to accept the recommendation of CFO Rob Addelson to authorize the operation of the
.. All Day Kindergarten Revolving Fund – MGL Ch. 71, Sec. 47
.. Hardy After School Revolving Fund – MGL Ch. 71, Sec. 47
.. Building User Fee Revolving Fund – Ch. 71, Sec 71E
Unanimous vote 5-0

COMMITTEE VOTES

Approval of Warrant #05169 in the amount of \$1,466,258.29

On a motion by Ms. Sheffler seconded by Mr. Thrope it was
Voted to approve warrant #05169 in the amount of \$1,466,258.20.
4-0-1 abstention by Mr. Schlichtman

Approval of Warrant #05161 in the amount of \$447,541.77 (withdrawn to be approved at the next meeting)

Approval of Warrant #05171 in the amount of \$89,120.04

On a motion by Ms. Sheffler seconded by Mr. Thrope it was
Voted to approve warrant #05171 in the amount of \$89,120.04
4-0-1 abstention by Mr. Garballey

Human Rights Commission Appointment

Mr. Thielman introduced Mr. Mahendra Desai to the Committee
Mr. Desai stated that he is an Arlington resident for 30 years; he expressed his desire to serve on the Human Rights Commission where he can contribute his knowledge and experience in business and engineering management as well as extensive international experience.
On a motion by Mr. Schlichtman seconded by Mr. Thrope it was
Voted to appoint Mahendra Desai as the school committee appointment to the HRC.

Ms. Sheffler stated that the Community Relations Subcommittee will be forming a committee with the Superintendent and the school committee to work on the minority hiring process and invited Mr. Desai to be involved in the committee.

Health Insurance Advisory Committee Appointment

Mr. Thrope reported that the committee that Sue Sheffler has attended is the Health Insurance Advisory Committee. It is a creation of the law (MGL Ch 32 Sect 3) and consists of a representative from each of the town's unions and a representative from the retirees. In addition, Caryn Cove Malloy sits with the committee as the representative of management and Kathy Dias as a representative of the selectmen. Mr. Thrope proposed that the school committee have a member sit on the advisory committee.

On a motion by Mr. Thrope seconded by Mr. Schlichtman
Voted to appoint School Committee member Sue Sheffler as the school committee representative to sit on the Health Advisory Committee.

Contract Approval/

Assistant Superintendent

On a motion by Mr. Thrope seconded by Ms. Sheffler it was
Voted to approve the Contract between the Arlington School Committee and Kevin Hutchinson to serve as Assistant Superintendent of Arlington Public Schools. Unanimous 5-0

Special Education Director

On a motion by Mr. Thrope seconded by Mr. Garballey it was
Voted to approve the contract between the Arlington School Committee and Barbara Cataldo to serve as the Special Education

Vote Unit C – Secretarial Contract

CFO Rob Addelson presented the Unit C secretarial contract to the committee for their approval noting that the minor language issues have been resolved.

On a motion by Mr. Thrope seconded by Mr. Garballey it was:

Voted approval of the agreement between the Arlington School Committee and Arlington Education Association Unit C secretarial personnel for 2004-2007. Unanimous 5-0

COMMITTEE REPORTS

Policy & Procedures - Mr. Thrope reported that the subcommittee met and worked on policies:

JLF – the committee discussed the need for the language to be expanded and clarified and will work on it at the next meeting.

Title IX - specific language discussion will also be addressed at the next meeting.

JIC – Mr. Thrope explained that he consulted with Jim Hardy of MASC relative to the changes in the student handbook policy. There could be a due process issue with the exclusion of the school committee on non-criminal cases; Mr. Thrope will forward the policy to legal counsel for review.

1st reading on policy BDAA Election of Officers. – Mr. Thrope presented a language change that would allow a member to be elected as chair if that committee member had not held the office for seven years. Mr. Schlichtman and Ms. Sheffler were not in agreement with the policy change.

The revision and 1st reading of CBD/CBE will be presented to the School Committee at the July 18th regular school committee meeting.

The next policy & Procedures subcommittee meeting is scheduled for Wednesday, July 13th at 5:00 pm.

Selectmen Liaison – Mr. Schlichtman reported that the Budget Revenue Task Force meeting has been cancelled and has yet to be rescheduled.

PERMANENT TOWN BUILDING COMM. REPORT

Mr. Thrope reported that the PTBC toured the Dallin School; they also reviewed the contractor's projected milestones which should be met by June 30th. The contractor has pushed the completion date up from September 30th to the end of October.

The PTBC thinks it is doable but that depends on the contractor's ability to move things along. Mr. Addelson noted that there is some concern over the completion date and that the timetable is being watched carefully.

MASC RESOLUTION ON MCAS PASSING SCORE

Mr. Schlichtman presented the resolution passed by the Brookline School Committee as well as two other communities; Arlington has been asked to they would also support the following resolution:

Resolution in Opposition to Raising the MCAS Passing Score

Whereas MASC acknowledges the value of MCAS testing for diagnostic purposes but has consistently expressed its opposition to the use of MCAS as a condition of high school graduation; and

Whereas some members of the Massachusetts Board of Education are proposing to raise the MCAS passing score from Needs Improvement at 220 to Proficient~ at 240 by the year 2014, purportedly to comply with the federal requirement under the so-called No Child Left Behind Act (NCLB) that all children achieve proficiency in math and English by that date; and

Whereas a passing score of 240 applied to the 2004 MCAS would have produced an unacceptably high failure rate at high schools across the Commonwealth and a failure rate of close to 100% among children with special educational needs, e.g., special education, English language learners (ELL), and economically disadvantaged minority students; and

Whereas NCLB does not mandate the use of a high school exit examination to measure proficiency (20 U.S.C. 6311), but permits the use of multiple measures, including but not limited to portfolios, grades, teacher evaluations and standardized tests such as MCAS, as currently practiced in Connecticut and Rhode Island;

NOW, THEREFORE, the MASC resolves to recommend to the Legislature that the proficiency standard to which our students should aspire should include factors other than MCAS scores, and further resolves to file appropriate legislation that would require the Board of Education to consider multiple forms of assessment in determining whether a student has met the level of proficiency. Such legislation will provide that an MCAS score of 240 shall not be the sole basis upon which proficiency is determined for the purpose of calculating AYP status and shall not be required for graduation.

Moved by Mr. Schlichtman, seconded by Mr. Thrope; unanimous vote 5-0.

SECRETARY'S REPORT

Reviewed by Mr. Thielman

REVIEW OF SUMMER CALENDAR

- .. **July 19th Workshop will be at the Ottoson**
- .. **Subcommittees should schedule meetings**

NEW BUSINESS

The committee thanked and acknowledged Joanne Gurry and Marilyn Bisbicos for their service as this their last meeting. Mr. Thielman read a statement commending outgoing Superintendent Kay Donovan.

On a motion by Ms. Sheffler seconded by Mr. Schlichtman it was Voted to adjourn at 9:30 PM.

Submitted by

Karen Tassone

Committee Secretary