



**Town of Arlington, Massachusetts**  
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## **School Committee Minutes 10-22-2002**

**ARLINGTON SCHOOL COMMITTEE  
REGULAR MEETING  
TUESDAY, OCTOBER 22, 2002  
7:30 PM**

**Present:** David McKenna, Chair  
Suzanne Owayda, Vice Chair  
Paul Schlichtman, Secretary  
Barbara Goodman  
Denis Sullivan  
Martin Thrope

**Chief Financial Officer:** David Kale  
**Special Education Director:** Marilyn Bisbicos  
**Student Representative:** Nathan Band

**Absent:** Superintendent. Kathleen Donovan  
Asst. Supt. Joanne Gurry  
Joani LaMachia

### **Call to order: 7:30 pm**

Chair, David McKenna announced that Suzanne Owayda (vice-chair) would chair this evenings meeting. Ms. Owayda welcomed Nathan Band as the student advisory council representative for the meeting. Ms. Owayda reminded the audience that under the policy for public participation the School Committee may not comment and only take under advisement any issue brought before the Committee.

### **Public Participation**

Peirce School parents and community members, Jean Camp, Lisa Sullivan, Elizabeth Schwartz, Chris Lockery, and Muriel Davis addressed the Committee relative to the Peirce School Tile Project. The tile project consists of 300 ceramic tiles made by students, teachers, parents and community members. Parents voiced concern that the entire tile project would not be all-inclusive and that only the best tiles would be chosen to be displayed: they emphasized the importance of each individual's contribution and requested that the School Committee accept the entire project.

Ms. Owayda referred the item to be addressed under new business.

### **SECRETARY'S REPORT**

Mr. Schlichtman reviewed correspondence

On a motion by Mr. Schlichtman and seconded by Mr. McKenna it was unanimously Voted to approve the regular meeting minutes of September 24, 2002.

On a motion by Mr. Schlichtman and seconded by Ms. Goodman it was unanimously Voted to approve the Executive Session minutes of September 24, 2002.

### **AHS ACCREDITATION INVITATION**

Dr. Bisbicos reminded members that School Committee members are invited to meet with the visiting team on Sunday November 3<sup>rd</sup> at 3:00 3:45 pm with a reception following from 5:00 – 6:00 pm.

### **MASS/MASC ANNUAL CONFERENCE**

The MASS/MASC Annual Conference is scheduled for October 30 – November 1<sup>st</sup>. Committee member Paul

Schlichtman will be nominated president elect of MASC at the conference. Mr. Schlichtman explained that it is an Advocacy position for the school committees through-out the state in addition to overseeing the operations with the executive board.

### **BUDGET UPDATE/VOTE ON PROPOSED CUTS**

Mr. Kale reported that the Superintendent met with the Finance Committee to review the APS proposed reductions that were received by the School Committee in September. Mr. Kale requested that the Committee take a vote to approve the proposed set of reductions.

Mr. Schlichtman explained that it was the most conflicted decisions he faced in a long time. He appreciates the patience of Finance Committee and Selectmen; he does not see any pragmatic choice except to support the motion.

Mr. Schlichtman stated that he has exhausted his willingness to make unilateral cuts without the guidance of the community and in the absence of an override does not want to see any other cuts coming this way; if the voters say they are going to increase the revenues he is prepared to make the least harmful cuts possible -believes the community at this point is entitled to make the decision on what the priorities are going to be.

In response to Mr. Sullivan's question whether we would be in any violation if the Committee did not vote for the cuts, Mr. Kale explained that the Town budget would be out of balance in terms of revenues. Mr. Sullivan concurred with Mr. Schlichtman that it was an agonizing decision but voiced total support for the administration.

Mr. Thrope made the following statement:

"I reluctantly concur in the total budget reduction amount because as part of the community it is the responsible thing to do.

However, a budget is not only what is coming out – it is also what is staying in. In the course of its deliberations about the budget this committee has discussed state and federal funding, the mechanics of town budgeting, and proposed school budget reductions, all important in their own way, but it has never in its deliberations, in full public view, examined the other 96% of the school budget. The process has been fundamentally flawed from the very beginning when questions were greeted with little enthusiasm and when requests for further information were not necessarily satisfied. One could make a strong argument that this committee has in fact never voted anything beyond a handful of reductions and a bottom line number, and that includes no vote on more than \$30 million worth of detail for which we and we alone have the responsibility and the authority to approve. Therefore, I will be voting present.

This committee has abdicated far too much authority to the administration. All the fluff, public forums and other window dressing, important though they may be to good community relations, do not make up for this fundamental failure to carry out a key responsibility for which we were elected. The real budget decisions are made with insufficient public scrutiny. When it comes to cutting millions from our budget in the next couple of years, this closed process and lack of responsibility cannot and should not be tolerated. The onus will be on this committee to pay much less attention to leaving it to the administration and much more attention to doing its job. Based on how I have observed this committee move further and further from its core responsibilities over the last few years, I am far from optimistic.

I would hope the committee can adopt a more appropriate level of checks and balances to help position the committee as a true overseer instead of a compliant bystander in the management of our school finances. I have and will present specific proposals to achieve that end".

On a motion by Mr. McKenna and seconded by Ms. Goodman it was

Voted to accept the recommendation of the Superintendent of Schools to reduce our current budget in the amount of \$158,947.00. 5-0-1 Mr. Thrope voted present as stated above.

Ms. Owayda responded that the budget subcommittee worked very hard to make the budget process open and to look at all the issues. She advised Mr. Thrope that if he has issues to bring them forward to the budget subcommittee so that they can be discussed fully.

Mr. McKenna stated that as a member of the Committee for 15 years he has not dealt with "fluff" and has in fact learned something from every meeting attended; he believes that the Finance Committee the Capital Outlay Committee, the Town Manager, the Selectmen, Board of Assessors, and the members of the Budget Revenue Task Force would agree that they have not been dealing with fluff.

Mr. McKenna acknowledged that it is a very difficult vote to take, but also pointed out that not once has it come up to discuss any other reduction in the budget in any meeting, regular or subcommittee.

Ms. Goodman voiced concern that the quality and contact the students would have with teachers due to increased class size, and agreed with Mr. Schlichtman that in order to preserve quality education that the Town, School and Finance Committee must be unified.

### **SUBCOMMITTEE REPORT**

#### **Budget Subcommittee**

Mr. Schlichtman reported that the budget subcommittee met to discuss ways to improve the reporting of grant funding so that the document presented to TM would be more user friendly in terms of identifying programs and positions funded by grants. Mr. Kale was directed to create a model how a system would work for approving transfers between line items to improve the level of reporting, acknowledgement or approval of transfers in the budget.

#### **Policy & Procedures**

Ms. Owayda presented the following policies for approval:

On a motion by Mr. Schlichtman and seconded by Mr. Sullivan it was unanimously Voted to approve policy file JFABA Kindergarten Fee Policy.

On a motion by Mr. Schlichtman and seconded by Mr. Thrope it was unanimously Voted to approve policy file IJOA Field Trip Policy.

On a motion by Mr. Schlichtman and seconded by Mr. McKenna it was unanimously Voted to approve policy file BGCA Policy Appeal Process.

On a motion by Mr. Schlichtman and seconded by Mr. McKenna it was unanimously Voted to approve policy file BGC Policy Revision and Review.

On a motion by Mr. Schlichtman and seconded by Mr. McKenna it was unanimously Voted to approve the revision of the APS Policy Manual Introductory Page.

### **Break**

### **VOTE APPROVAL OF WARRANT SUMMARY**

Mr. Kale explained to the Committee that a vote must be taken on the warrant summary; in addition, Mr. Kale informed Committee Members that there is another warrant ready for approval in the school committee office.

On a motion by Mr. McKenna and seconded by Mr. Sullivan it was unanimously Voted to approve the warrant summary in the amount of \$566,282.86. (Mr. Schlichtman and Mr. Thrope noted their abstentions on invoices that posed a conflict of interest).

### **FIELD TRIP APPROVAL**

On a motion by Mr. Sullivan and seconded by Mr. Thrope it was unanimously Voted to approve the AHS Ski Club field trip January 24-26, 2003.

### **SPECIAL EDUCATION UPDATE**

Special Education Director Marilyn Bisbicos gave a report on Special Education Services. Dr. Bisbicos reviewed the special education student enrollment by school, the total number of students receiving special education services, the number of out of district students who attend preschool programs, collaboratives, private day schools, or residential programs, and also explained if the programs are tuition or non-tuition. The report also identified students by prototype, age, race, language, and grade level. Dr. Bisbicos stated that 74.9 special education staff service approximately 825-850 students. The number of students in out of district placements has been reduced by approximately 20 students from 106 students last year to 86 students the current year. The reduction in out of district placements is due in large part to the creation of three new programs in APS; the Stratton kindergarten transition program, the Menotomy preschool program, and the behavior program at the high school.

### **FY2002-2003 Budget – October Financial Report**

CFO David Kale presented the Committee with the first quarterly report of the fiscal year. Mr. Kale summarized the major budget categories highlighting the areas that could be facing shortfalls. Mr. Kale pointed out that it is a preliminary report subject to significant changes (that can occur on a daily basis) but at this point is projecting the FY02-03 budget to be in balance.

### **School Capital Plan**

David Kale reviewed a draft of the School Capital Plan FY2004-2008 that will be submitted to the Town Manager and the Capital Planning Committee. The request for FY2004 is \$683,500.00 with requests ranked from the highest to the lowest priority. Among the highest-ranking requests are the School Photo Copier Lease Program, the conversion to natural gas at AHS, synthetic floor replacement of the red and blue gym at AHS, Thompson/Stratton window replacement, flooring tile replacement and system wide roof repairs.

### **NEW BUSINESS**

Ms. Owayda requested that the following issues be placed on the next agenda:

- .. Peirce School Tile Project (Ms. Owayda noted that the project does need school committee approval)
- .. Minority Hiring Report by the Human Resource Officer.
- .. Private fundraising in public schools.

Also requested by Members of the Committee for the next agenda:

- .. A presentation by HRO Gus Martinson on the entire hiring process, (i.e. how is it constructed, what systems are in place to help principals and department heads have access to potential candidates in a timely manner, what progress has been made and how well the process is working).
- .. Administrative salary increases
- .. The Superintendent's goals

Mr. McKenna acknowledged correspondence received from Mr. Thrope and from Mr. Thrope's attorney; Mr. McKenna offered to meet with Mr. Thrope to discuss his concerns.

On a motion by Mr. Sullivan and seconded by Mr. McKenna it was Voted to enter executive session to discuss a legal issue with no further business to be conducted upon return to open session except to adjourn.

Before the vote was taken Mr. Thrope read a statement saying that "Until we return to the longtime practice of taping exec session or the committee votes in public session to do otherwise, thereby going on record regarding this self serving decision, I will bring up this issue every time. We are conducting the public's business, even in executive session, and we are obligated to do so within the carefully defined constraints of the open meeting law. The open meeting law, with the exception of a handful of specific circumstances, provides to executive session only temporary exemption to its requirement that all deliberation be conducted in public. When the reason for the temporary exemption has passed, the record of the meeting is to be made public. Why is this committee not allowing its deliberations to see the light of day? What is the committee trying to hide? Who was it that presumed to act for the committee without a vote and directed" **Ms. Owayda interrupted and informed Mr. Thrope that if he has an issue with the use of the tape recording it could be addressed at the next meeting. Mr. Thrope continued with his statement, stating that he was not finished.**

"the secretary to shut off the recorder?"

"I have not been made privy to Mr. Miller's opinion on the matter. However, it is only that – an opinion. Mr. Miller is not a member of this committee, he has no vote, he only advises. It is the committee that decides, and not one or more individual members acting on their own. Mr. Miller is legal counsel to the whole committee, not just some of the committee. This is a committee that chooses the bare minimum required by the law and ignores the implications of not setting a higher standard. With the dynamic of this committee, memory cannot be trusted. That is only one reason to tape executive sessions, as we have done in the past".

"The real impetus here, and everyone at the table knows it, is that the committee misused executive session and got caught".

**Mr. Schlichtman, Ms. Goodman Mr. Sullivan all requested points of order, Mr. McKenna resumed the position of Chair, banged the gavel, and called Mr. Thrope out of order, Mr. Thrope continued reading his statement** "Some members of the committee, and presumably Mr. Miller, seem to think that the best way to prevent that in the future is to eliminate the evidence, and without a vote. Therefore, on the advice of legal counsel I am stating that I will not be bound by confidentiality with respect to any discussions in executive session that do not meet the requirements defined by the open meeting law."

Mr. McKenna in responding to Mr. Thrope stated that " you just indicted every member of this committee, you were out of order, you were disrespectful, and you stated that we (the committee) were dishonest"; Mr. McKenna stated that he "resented that fully". Mr. McKenna asked the committee if there were any objections to having the issue placed as the first item of business on the next agenda. (no objections)

#### **EXECUTIVE SESSION 9:45 – 9:50 PM**

**On a motion by Mr. Sullivan and seconded by Mr. Schlichtman it was unanimously Voted to adjourn @ 9:50 pm.**

**Submitted by  
Karen Tassone  
Committee Secretary**