



SCHOOL COMMITTEE

BUSINESS MEETING OPEN SESSION MINUTES

May 1, 2023

Meeting:	School Committee
Date:	
Location:	Essex Elementary School
Attendees:	Pamela Beaudoin, Superintendent Avi Urbas, Director of Finance Theresa Whitman, Chairperson Jake Foster Matt Harrington Kate Koch-Sundquist Anna Lin Mitchell Chris Reed Erica Spencer
Absent:	
Guests:	
Recorded by:	Maria Schmidt
Link to Reports and Presentations	https://www.mersd.org/domain/785

A. Call to Order – Ms. Whitman called the School Committee Business meeting to order at 5:09 p.m.

1) Public Comment –

Nina McKinnon, 1 Lowland Farm Rd., Essex: Ms. McKinnon asked to address the current talk regarding the Town of Manchester vote. Ms. McKinnon stated that, given the large amount of chatter and conjecture about what will happen if Essex does not approve the override for the MERSD operating budget, she hoped that the SC would speak with real transparency about how the district would respond in that scenario. Ms. McKinnon said she had heard estimates of 12-15 teachers losing their positions.

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- 2) **Student Report** – No report this evening
- 3) **Chairman's Report** –

Ms. Whitman provided the School Committee with a brief history of the request for information received from the Essex Board of Selectmen and an update as to the current status of the request. The conversation began via email between Mr. Guy Bradford and Business Manager, Avi Urbas, over the winter to learn about the budget process. Ms. Whitman was cc'd on the email. In January, Mr. Brendhan Zubricki, Essex Town Administrator, asked to learn about class size and its implications for the budget. This request raised several issues, including questions about how the information would be used. Superintendent Beaudoin agreed to provide the information but asked to first make it available as a report to the School Committee, preserving the practice of communication flowing to the SC before all others as the governing body of the school district. This presentation was slated for March 3, 2023. Two days prior to the March meeting, Ms. Pereen, Chairman, Essex Board of Selectmen, communicated that she wanted raw data. However, the report was already compiled and was presented as prepared. After the SC meeting, there was clear communication that the format of the report did not satisfy the Essex BOS requirements. Superintendent Beaudoin asked that the request be reviewed by the full SC. MERSD then received a formal Public Records Request for the data used to compile the report. The raw data used is the district master schedule, and it is a student record. The district consulted with SC legal counsel, and the decision was to provide the Essex BOS with a heavily redacted document. Ms. Pereen requested the redacted information, and Superintendent Beaudoin contacted SC Counsel to see if we can be more forthright. Their recommendation was clear that the SC cannot. The current plan is for Ms. Whitman and Mr. Reed to meet with Essex BOS. Ms. Pereen asked to speak to the district's legal counsel, as well. In the meantime, the district has provided the course titles that are associated with classes in identified ranges of enrollment.

Superintendent Beaudoin stated that the district attorney is referring them to the public records officer who is the mediator of not-understood information requests and the mediator of disagreements. Counsel is concerned about the release of information to the public. From a safety standpoint, the master schedule shows where students are concentrated at any time during the school day. Mr. Reed stated that this is a non-standard request. Therefore, the district has to clear sharing of the information because schools have other considerations. Mr. Reed stated that even though some of the SC members disagree with this extreme caution, the bottom line is that he is not comfortable opening up the town to litigation. Mr. Reed stated that the district should follow the process laid out for these situations. Ms. Whitman stated that an invitation has been extended for concerned stakeholders to come in and work together to give them the information they seek in another way.

Ms. Mitchell asked if this is normal in these situations. Superintendent Beaudoin stated that whenever the district receives a public records request that they have not previously it is standard practice to send the request to legal counsel. Ms. Whitman clarified that the School Committee does not handle public records requests; they are the responsibility of the superintendent. Ms. Spencer stated that the laws regarding privacy around schools are much more stringent. Ms. Spencer accepted that the district should follow the recommendation of its legal counsel. However, she asked if there is another way to provide the information. The superintendent stated

that she is hopeful that providing course/class titles will meet the request. Superintendent Beaudoin stated that the requestors do not want to see and interpret data. The superintendent said that at this level of information, she would like to bring in the principals because they create schedules for their schools. Providing this data will generate additional questions at each line, and Superintendent Beaudoin thinks it is best to have those who created the schedule available to answer those questions. Superintendent Beaudoin said this is the first time legal counsel has seen this type of request. Ms. Koch-Sundquist asked if the Manchester BOS is similarly concerned about this topic. Ms. Ann Harrison, Manchester Board of Selectors, took the floor to say that she has not heard this concern from the Manchester board. Mr. Reed stated that it is an important topic to look into, and expressed his hope that all understand that it is a multiyear conversation. Mr. Reed said that schools do not operate with an on-demand model where a class is not taught one year when enrollment is low. Mr. Reed said that if the goal is looking at efficiency, everyone on the SC is interested in having that conversation. Superintendent Beaudoin said that concern about the bracket of courses with 5-7 enrolled students brings up issues about the long term sustainability of having two world languages offered to students. Mr. Reed stated that the raw data is useless without context. Ms. Whitman pointed out that our new high school principal has experience keeping four world languages on the books using creative scheduling. Ms. Spencer expressed her concern, as an attorney, for any vote by the SC directing Superintendent Beaudoin to go against the advice of legal counsel. She said there would likely be ramifications for our insurance policy and expressed concern about disclosing FERPA information. Superintendent Beaudoin said that counsel has not seen this request before, and the next line of appeal is to go before the public records officer for guidance. Ms. Mitchell stated that the current issue arose because of concerns about data transparency and said that this concern is not new. Ms. Mitchell said that she has had data requests denied and stated that it gives the appearance that the district does not want to share information. She said that the resulting lack of trust takes years to repair. Ms. Whitman said that we need to better understand what can be shared and that all interested parties need some understanding of what is within their purview. Mr. Reed stated that it has been a long time since the school district formed, and it would be beneficial to have a refresher to ensure that the SC communicates with town partners as required. Ms. Koch-Sundquist said that our relationship with partners also needs to get to the same place about what are appropriate requests to make between boards. Ms. Whitman said that this situation highlighted the breakdown in communication. Ms. Whitman pointed out that the upcoming elections mean that we are in a change phase, and that is a tough place. She mentioned that Ms. Alva Ingaharro is running unopposed for a seat on the Essex BOS. Ms. Whitman asked about the idea of having a specific charge so that there can be better understanding. Mr. Reed stated that the level of time and effort required to address this, and the continued challenges remaining, indicates that something is broken in the middle. He stressed that the SC needs to figure out a path forward.

Ms. Koch-Sundquist read from the MERSD School Committee Operating Protocols:

- Recognize the importance of proactive communication and agree that there will be no surprises. If Committee members have questions or concerns, they agree to contact the Chair and the Superintendent well in advance of a meeting.
- Maintain the confidentiality of privileged information, and abide by the Open

Meeting Law and all other statewide rules and regulations.

4) Consent Agenda –

- Acceptance of Warrants: **Accounts Payable Vouchers # V1053, V1055, V1056**
- Minutes for approval: **April 3, 2023**

Mr. Reed moved to approve the Consent Agenda; Ms. Spencer seconded the motion.

The motion passed unanimously.

5) Sub-Committee Reports

- **Elementary Facilities/MSBC Sub-Committee** (Theresa Whitman/Matt Harrington) – No Report
- **Finance Sub-Committee** (Anna Lin Mitchell/Theresa Whitman) – No Report
- **Policy/Communication Sub-Committee** (Erica Spencer/Jake Foster) – No Report
- **Negotiation Team Sub-Committee** (Kate Koch-Sundquist/Chris Reed) – No Report

- 6) Superintendent's Report** – Superintendent Beaudoin mentioned that the spring activities list for MERSD is included in this week's SC packet and encouraged SC members to attend. Ms. Whitman asked for clarification about expectations for members attending graduation. Should they wear robes and where they would be stationed? Superintendent Beaudoin said that last year there was a change, and the SC did not walk with the graduating class. She said the SC would sit in the front row of the audience with the SC Chair sitting on stage. Ms. Spencer agreed that it is important to know that the expected attire will be. Ms. Whitman asked, and received confirmation, that past SC members are allowed to sit in the School Committee section. Ms. Mitchell asked about protocol for the elementary graduation and Superintendent Beaudoin reminded those in attendance that the elementary school does not have a "graduation" ceremony. The SC is not expected to attend the elementary celebrations in their official capacity. Ms. Koch-Sundquist pointed out that the activity list is missing the June 13 Closing Ceremony at Essex Elementary. Ms. Whitman pointed out that the Essex Elementary Talent Show is the same evening as an upcoming SC meeting. Superintendent Beaudoin stated that the peer group assembled for the media review has concluded their work and plans to present their findings at the May 16, 2023 School Committee meeting.

7) Continued Business –

- Facilities Update –
 - MSBA Statement of Interest – Essex Elementary. Superintendent Beaudoin reported that the MSBA SOI is complete and submitted.

Now, the district is awaiting clarifying questions from the MSBA. The MSBA is expected to schedule something for the fall, but the district is unlikely to know more until November.

- Turf Field Replacement – Superintendent Beaudoin described some lingering confusion over how best to pursue funding for replacement of the turf fields. She stated that the consensus is that it needs to be done. However, Essex is not comfortable with putting funding on the warrant. Superintendent Beaudoin said that the district’s intent is to continue forward with work at Highland Field. If the operational budget fails to pass, the district will re-examine options. Ms. Mitchell stated that even if it does not pass, there are additional voting opportunities. She said that the bond is basically on hold. The district is advancing reserve funds for Highland Field, to be repaid later by the towns. Without passage in Essex, Ms. Mitchell stated that we could still use reserves to pay for Brook Street. Ms. Whitman confirmed that there is a process if the override fails. However, she cautioned against making assumptions because that process has many steps at each point. Mr. Foster stated that his understanding is that the Essex override does not include the fields. Ms. Whitman confirmed this and stated that if the operational override passes, the district would have increased flexibility regarding the turf replacement. Ms. Spencer asked if, setting aside the finances of the project, there is an update on timing. Mr. Urbas stated that Highland will begin as soon as the school year ends. The preconstruction meeting will be held in the coming week. The construction company is on point to have the field open for the beginning of the new school year. Brook Street could be ready by the end of September. Superintendent Beaudoin stated that if the operational override passes, it will be put on the ballot for the Essex town meeting in a week. If it passes, we move forward. The SC has already voted to issue debt. Superintendent Beaudoin stated that at this point we do not know what non-action by Essex would mean. On May 16, the district will review its capital plan which will inform the district about whether to take out debt or borrow from reserves. Ms. Mitchell asked if the SC vote would happen May 16. The superintendent confirmed that it would if the district has enough information to move forward. Ms. Mitchell stated that she did not want to wait and said that at the collaboration meeting financing was the piece where things got stuck. Essex disapproves of bonding. Ms. Mitchell stated that they were not aware of the sixty-day window after which, if they do not decide, it is a go. Mr. Urbas stated that the SC has authorized the budget... The language was that borrowing would wait until the end of the year so that the amount borrowed was the final cost and not an estimate. Superintendent Beaudoin posed the question of whether it would be a piecemeal vote for each bill as it comes due or whether the SC would authorize a full amount from reserves for both fields. Mr. Urbas stated that the SC authorized

Highland for right away on March 2. However it was not explicit regarding the approach. He stated the SC could vote on the issue. Superintendent Beaudoin stated that if the \$289K override in Essex is not successful, it would result in \$781K in adjustments to make that up. Therefore, the district is hesitant to commit the reserves to the fields just yet. If the override fails, the May 16 meeting would be devoted to looking at the repercussions for the budget. \$785K is the equivalent of eight teachers. Ms. Mitchell stated that she thinks it should be more transparent.

- Draft FY 24 SC Calendar – Superintendent Beaudoin stated that the calendar for FY 24 continues the tradition of having SC meetings monthly on the first and third Tuesday. The calendar also provides an overview. August 8, 2023 is scheduled as the SC retreat. Work will be done with Michael Eatman on cultural competency, and there will be team building exercises. The day will provide an opportunity to create a framework for the following school year. Ms. Mitchell that, regarding the budget process, there are three entities that need to work together. Ms. Mitchell stressed the need to coordinate with town partners and asked about building this goal into workshops so that there are not debates at the end of the budget cycle. Ms. Whitman agreed and stressed that within the process there are natural pressure points. Ms. Whitman said that she would like to break that cycle. Superintendent Beaudoin asked about having a tri-board meeting. Ms. Mitchell thought that was a good approach, stating that the current collaboration is not working. Mr. Foster asked if the SC is currently looking at meeting dates or the flow and focus of those meetings. The superintendent replied that dates are hammered out first. Ms. Spencer stated that she would like more time allotted for speaking about topics important to individual members. Although the retreat is one such opportunity, Ms. Spencer would like additional time to speak about topics outside of the calendar's listed focus topics. Mr. Foster stated that the SC may want to plan for additional workshops on other topics, as was done for the budget.
- Draft 2023-2024 District Calendar (vote to approve). Superintendent Beaudoin stated that discussion of replacing "Indigenous People's Day" still needs to be added to the SC agenda. Ms. Spencer asked if the SC could vote at the current meeting. Ms. Whitman reminded the SC that previous discussion had concluded that it would be put on the agenda for public notice. Mr. Foster said that if the district calendar is going out to the public, he would prefer to vote now. Ms. Whitman stated that, even though she doubts there would be a strong reaction to the change, she believes it is important to provide the opportunity for the public to have their say. Superintendent Beaudoin said that DESE lists the October holiday as "Columbus Day," and that is why it has been listed that way on our calendar. However, the superintendent said that title is not aligned with the internal work of the district, and she believes the change would be welcomed by the staff. Superintendent Beaudoin stated that the topic will be added to the next agenda. Superintendent Beaudoin also addressed the SC

request to explore changing the professional development half days to Fridays. The superintendent reported that the staff was not receptive to the idea and stated that the SC would need to build a strong case for their reasoning to gain support.

- 8) School Committee Comment** – Ms. Whitman stated that this is the year of the review process when the School Committee provides the superintendent with a review. Superintendent Beaudoin stated that on June 6 she will provide an end of year review of the DIP – what worked and what did not. The superintendent will provide an update on the two-year goals. This report will be sent to the SC Chair. DESE provides goals and tools to write the evaluation with comments and reflections. Member comments are submitted to the Chair and presented at the summer SC meeting. Ms. Whitman said she brought up the issue now because it is the responsibility of the SC as a deliverable to the superintendent. Superintendent Beaudoin said that the language in the contract is that the review is a deliverable at a mutually agreeable time, but that this timing could be updated if needed. Ms. Whitman clarified that exiting SC members participate, but not newly elected members. Ms. Mitchell asked for confirmation that the Chair consolidates member input, which she received, and asked if members see each other's comments. They do not. Ms. Mitchell asked if it is a 360 degree review where members talk to all of the principals. The superintendent replied that is not the case. The current process is the agreed upon tool. Ms. Whitman stated that in a three year term, members go through this process twice. Ms. Spencer stated that she has seen one side of the superintendent and that the perspective of the principals would be helpful. Mr. Foster stated that we are at the end of an agreed upon process and a change could be pursued at the start of the next round.

9) Adjourn and attendance at Essex Town Meeting

Mr. Harrington moved to adjourn the School Committee business meeting; Ms. Spencer seconded the motion. The motion passed unanimously.

Meeting Adjourned at 6:30 pm

School Committee Future Meetings

- Dates
 - Tuesday, May 16, 2023
 - Tuesday, June 6, 2023