

REVISED
11/3/14

MINUTES – WAYLAND SCHOOL COMMITTEE
Executive Session – May 29, 2014

An Executive Session of the Wayland School Committee was held on Thursday, May 29, 2014, at 8:53 P.M. in the School Committee Room of the Wayland Town Building.

Present were:
Barb Fletcher, Chair
Malcolm Astley
Ellen Grieco
Donna Bouchard

Absent:
Jeanne Downs

Also:
Paul Stein
Superintendent of Schools

Brad Crozier
Assistant Superintendent

1. **Executive Session:**

A motion was duly made by Barb Fletcher, seconded by Ellen Grieco, to enter Executive Session at 8:53 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, §21(a)(3), as such discussion in open meeting may have a detrimental effect on the litigation position of the School Committee and an Executive Session is necessary to protect the litigation position of the School Committee. In addition, the School Committee will enter Executive Session for the purpose of conducting a negotiating strategy session related to the Superintendent's contract, as permitted by M.G.L. Chapter 30A, §21(a)(2).

The School Committee will be joined by Paul Stein, Superintendent of Schools, and Brad Crozier, Assistant Superintendent of Schools. The School Committee will reconvene in open session for adjournment purposes only.

A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Malcolm Astley	X	
Ellen Grieco	X	
Donna Bouchard	X	
Jeanne Downs		Absent

2. **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):**

Ellen updated the School Committee on her conversation with Gini Tate. Mark Higgins will be the prosecutor at the hearing, and he and Gini will go before a judge for a pre-hearing meeting to discuss logistics for the hearing. As an advocate for the process, Mark Higgins will not discuss with Gini or the School Committee the aspects of this case.

Gini and Ellen also discussed the legal costs of proceeding with a hearing and a possible trial, as well as the legal process leading up to a trial.

Malcolm left the meeting at 9:03 and noted that the School Committee should proceed with the process, and he is not in favor of negotiating the fine.

Released 11/3/14

MINUTES – WAYLAND SCHOOL COMMITTEE

Executive Session – May 29, 2014

The School Committee discussed the law in terms of the word "intentional" in the statute, as well as the validity of the statute. Some members of the Committee agree that the errors were inadvertent and should not lead to legal fees or a penalty of a fine.

The Committee agreed that Barb should ask Mark Lanza about the process he followed with the Board of Selectmen's Open Meeting Law violation. Ellen also noted that she would like to have a conversation with Gini and the Attorney General in terms of their interpretation of the statute. Ellen will also ask Gini about redacting an employee's name in the June 3rd executive session minutes.

3. Conduct Negotiating Strategy with Respect to Superintendent's Contract, pursuant to M.G.L. Chapter 30A, §21(a)(2):

The School Committee reviewed a marked-up draft of the Superintendent's contract. They discussed long-term disability insurance and long-term care benefits, an incentive or merit raise, an exit clause, and COLA's for the next three years. Some language changes were made. It was suggested that the merit raise be tied to the overall performance rating of "exemplary."

Ellen will bring the revised contract to Paul for his review before finalizing at the next meeting.

4. 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) (continued):

Pertaining to the first discussion during this session, Barb informed the Committee that she received an email from George Harris in which he requested the June 3rd Executive Session minutes. The Committee discussed the redaction of the employee's name from the minutes. Because the employee must be given notice of the release of the minutes, Barb read the draft letter that she proposes to send to the employee.

Upon a motion duly made by Donna Bouchard, seconded by Ellen Grieco, the School Committee voted unanimously (3-0) to authorize Barb Fletcher to send the letter to the employee. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Malcolm Astley	Absent	
Ellen Grieco	X	
Donna Bouchard	X	
Jeanne Downs	Absent	

Barb will also attach the Attorney General's determination document to the letter.

5. Adjournment:

Upon a motion duly made by Ellen Grieco, seconded by Donna Bouchard, the School Committee voted unanimously (3-0) to adjourn the Executive Session at 9:47 P.M. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Barb Fletcher, Chair	X	
Malcolm Astley	Absent	
Ellen Grieco	X	
Donna Bouchard	X	
Jeanne Downs	Absent	

Respectfully submitted,



Barb Fletcher, Chair
Wayland School Committee

MINUTES – WAYLAND SCHOOL COMMITTEE
Executive Session – May 29, 2014

C. Corresponding Documentation:

1. Executive Session Motion
2. Draft of Superintendent's Contract
3. Draft of Letter of Notification to a past school employee