

School Committee Meeting

May 28, 2020

7:00 P.M. (approximate time)

Open Session

Remote Meeting



Town of Reading Meeting Posting with Agenda

2018-07-16 LAG

Board - Committee - Commission - Council:

School Committee

Date: 2020-05-28

Time: 7:00 PM

Building:

Location:

Address:

Agenda:

Purpose: Open Session

Meeting Called By: Linda Engelson on behalf of the Chair

Notices and agendas are to be posted 48 hours in advance of the meetings excluding Saturdays, Sundays and Legal Holidays. Please keep in mind the Town Clerk's hours of operation and make necessary arrangements to be sure your posting is made in an adequate amount of time. A listing of topics that the chair reasonably anticipates will be discussed at the meeting must be on the agenda.

All Meeting Postings must be submitted in typed format; handwritten notices will not be accepted.

Topics of Discussion:

		THIS MEETING WILL BE HELD REMOTELY ON MICROSOFT TEAMS
7:00 p.m.		Call to Order
7:05 – 7:15 p.m.	C.	Public Comment For public comment please email dgschoolcommittee@reading.k12.ma.us Emails will be taken up at the meeting if they are relevant 1. Correspondence submitted in advance of meeting 2. Correspondence submitted during the meeting
7:20 – 7:25 p.m.	D.	Consent Agenda (Vote) - Accept a Donation from the Wood End PTO - Accept a Donation to the RMHS Class of 2020 - Approval of Minutes (April 30, 2020 & May 14, 2020)
7:25 – 7:50 p.m.	E.	Reports 1. Students 2. Director of Student Services 3. Assistant Superintendent 4. Chief Financial Officer 5. Superintendent 6. Liaison/Sub-Committee
7:50 – 8:20 p.m. 8:20 – 8:30 p.m. 8:30 – 8:45 p.m. 8:45 – 9:00 p.m. 9:00 – 9:10 p.m.	F.	New Business 1. SEPAC Presentation (Discussion) 2. Quarterly Personnel Update (Discussion) 3. Quarterly Financial Update (Discussion & Vote) 4. Transportation Contract (Discussion & Vote) 5. Scheduling of Retreat for District Improvement Plan

This Agenda has been prepared in advance and represents a listing of topics that the chair reasonably anticipates will be discussed at the meeting. However the agenda does not necessarily include all matters which may be taken up at this meeting.



Town of Reading Meeting Posting with Agenda

9:10 – 9:45 p.m.		6. Social Media Policy & Guidelines (Discussion & Vote)
	G.	Old Business 1.
	H.	Information/Correspondence 1. Email from Sarah McLaughlin – Continued concerns regarding remote learning and planning 2. Email from Rebecca Schromm – Thank you 3. Email from Rebecca Liberman – Some suggestions for kids out of school during COVID to get more learning during current situation 4. Email from Rebecca Liberman – A question for public comment – could there be a summer school session? 5. Email from Rebecca Liberman – Public comments and addressing remote learning 6. Email from Michael Monahan – Question for Public Comment 7. Email from Stephanie Dubanowitz – Extended School Year 8. Email from Amelia Keddy – Current remote learning 9. Email from Audra Cashin – Mrs. Callan and Mrs. Emery
	I.	Routine Matters 1. Bills & Payroll Warrants 2. Calendar
	J.	Future Business
9:50 p.m.	K.	Adjourn

**Times are approximate

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



Christine M. Kelley
Assistant Superintendent

Jennifer A. Stys, Ed.D.
Director of Student Services

Gail Dowd, CPA
Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow

TO: Reading School Committee

FROM: John F. Doherty, Ed.D.
Superintendent of Schools

DATE: May 26, 2020

TOPIC: Accept a Donation from the Wood End PTO

At our meeting on Thursday night I will ask the School Committee to accept a donation in the amount of \$365 from the Wood End PTO. This donation will be used to offset the cost of a 4-day Responsive Classroom Workshop for a classroom teacher.

If you have any questions, please contact me.




John F. Doherty, Ed.D
Superintendent

WOOD END ELEMENTARY SCHOOL
85 Sunset Rock Lane, Reading, MA 01867
Tel: 781-942-5420 Fax: 781-942-5428

Joanne E. King, Ed.D
Principal

MEMO

To: Gail Dowd, Chief Financial Officer

From: Joanne King, Principal 

Date: May 21, 2020

RE: Wood End PTO Donation

The Wood End Elementary School received a check in the amount of \$365.00 from the Wood End PTO. We ask that the School Committee accept this donation which will be used to cover half the cost of a 4-day Responsive Classroom Workshop for a classroom teacher. We are very appreciative for our PTO's generosity.

Thank you.



Wood End Elementary School PTO
85 Sunset Rock Ln.
Reading, MA 01867

May 21, 2020

Re: Alison Ockerbloom Professional Development Request

Dear Mrs. King:

Please accept this donation of \$365.00 from the Wood End PTO to cover half the cost of a 4-day Responsive Classroom workshop for Alison Ockerbloom.

Sincerely,


Kathy Exarchos
PTO Treasurer

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



Christine M. Kelley
Assistant Superintendent

Jennifer A. Stys, Ed.D.
Director of Student Services

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Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow

TO: Reading School Committee

FROM: John F. Doherty, Ed.D.
Superintendent of Schools

DATE: May 26, 2020

TOPIC: Accept a Donation to the Class of 2020

At our meeting on Thursday night I will ask the School Committee to accept a donation in the amount of \$1,030 from Marianne Tompkins on behalf of the Class of 2020 parents. This donation will be used to support graduation activities.

If you have any questions, please contact me.



John F. Doherty, Ed.D.
Superintendent

READING MEMORIAL HIGH SCHOOL

62 Oakland Road, Reading, Massachusetts 01867
Tel: 781-944-8200 Fax: 781-942-5435
Website: <http://www.reading.k12.ma.us/memorial/>

Kathleen M. Boynton
Principal

Craig Murray
Jessica Theriault
Thomas J. Zaya
Assistant Principals

To: John F. Doherty, Superintendent of Schools
From: Kathleen M. Boynton, Principal
Date: May 26, 2020
Subject: Letter of Support for a Donation

Please accept a donation in the amount of \$1,030 from Marianne Tompkins, on behalf of the Class of 2020 parents. This donation will be used to support the Class of 2020 graduation activities and will be deposited into the Class of 2020 student activities account.

Thank you



Town of Reading Meeting Minutes

2016-09-22 LAG

Board - Committee - Commission - Council:

School Committee

Date: 2020-04-30

Time: 7:00 PM

Building:

Location:

Address:

Session: Open Session

Purpose: Open Session

Version: Draft

Attendees: **Members - Present:**

Chuck Robinson, John Parks, Tom Wise, Erin Gaffen, Carla Nazzaro and Shawn Brandt

Members - Not Present:

Others Present:

Superintendent John Doherty, Assistant Superintendent Chris Kelley, CFO Gail Dowd, Director of Student Services Jennifer Stys, Human Resources Administrator Jenn Allard, Director of Facilities Joe Huggins and Student Representative Maura Drummey

Minutes Respectfully Submitted By: Linda Engelson on behalf of the Chair

Topics of Discussion:

I. Call to Order

Chair Robinson opened the meeting and announced the School Committee was meeting in a virtual setting, fully remote via Microsoft Teams, practicing social distancing and in accordance with the Governor's suspension of certain open meeting laws. The meeting was being recorded and broadcast live on RCTV. The Chair called attendance:

Mr. Parks – here	Dr. Doherty – here
Mr. Wise – here	Mrs. Kelley – here
Mrs. Nazzaro – here	Mrs. Dowd – here
Mrs. Gaffen – here	Dr. Stys – here
Mr. Brandt – here	Mrs. Allard – here
Mr. Robinson – here	Mr. Huggins - here

A. Public Input

Mr. Robinson explained that public comment would be held at the end of the meeting allowing the public time to email questions to dgschoolcommittee@reading.k12.ma.us

B. Consent Agenda

Mr. Wise moved, seconded by Mr. Parks, to approve the consent agenda.

Mr. Wise suggested revisions to the 4.16.20 minutes.

Mrs. Nazzaro suggested revisions to the 4.06.20 minutes.

The roll call vote on the amended minutes carried 6-0. Mr. Parks, Mr. Wise, Mrs. Nazzaro, Mrs. Gaffen, Mr. Brandt and Mr. Robinson.

C. Reports

Student Representative

Student Representative Maura Drummey reported on remote learning for this week. The work has been manageable. Senior activity planning is picking up. The senior countdown will be virtual, and seniors can sign up for a day. The banners will be displayed on Instagram. There will be a virtual prom next week as well as senior week activities. Lawn signs have been distributed to about half of the class.

Director of Student Services

Dr. Stys reported that “continuation of learning plans” are still being distributed. Parents should contact the team chairs with any questions/concerns. There has been instructional support meeting time, which we are calling office hours (State language).

Discussion is taking place regarding the ESY program. There are three models being considered: traditional, virtual and a hybrid of both.

There is on-going training- for teachers and paras on the following:

- Reading (Morphology and Comprehension)
- Executive Functioning
- TEAMS
- Technology (Boomcards, Flipgrid, Bookshare)
- Fading Supports, Data Collection

Upcoming trainings for parents continue with the following:

- Training for parents
- Electronic Signing
- IEP and 504 Meetings
- What is AT
- Google Classroom
- Bookshare

Dr. Stys shared that she continues to meet with the State and SEPAC. We are also partnering with SEEM on a variety of lessons. Dr. Stys and Ms. Wright continue to hold office hours for staff and parents.

Assistant Superintendent

Mrs. Kelley reported on the following:

- Remote learning proceeding-Teacher appreciation day/week May 5
- Staff has set up platforms so that families/students can access one platform and are using google classroom PreK-8 and HS is using either Portal or google classroom

- Working with tech to present lots of trainings for staff on google, teams, and other topics
- Had our first live training with Reading resident Tech Integrator Specialist Karen Janowski today with over 58 joining in and scheduling more by topic (certain programs to use) as well as by grade level bands/positions
- Would like to offer more parent trainings
- Looking for continued training modules district wide as well as school-based future parent trainings
- Learning and Teaching Coordinators are meeting weekly by grade level to support staff as they plan activities and look for ways to provide meaningful learning experiences; principals are helping to support this work
- Our goals moving forward will be to strengthen the remote learning program for all students:
 - Prioritize meaningful connections with educators and peers.
 - Provide engaging core instruction focused on the prerequisite content standards that are most critical for student success in the next grade.
 - Offer opportunities for enrichment, exercise, and play.
 - Ensure programming is accessible and secure and communication is streamlined for students and their families.
- Principals are facilitating weekly staff meetings with entire staff as well as smaller break out staff sessions
- Develop a system for identifying and supporting students not effectively engaged in remote learning.
- Consider the strategic collaboration, teaming, and differentiated roles that remote learning makes possible.
- Reiterate the recommendation shared by Commissioner Riley; “We generally recommend that schools and educators deliver instructional lessons intended for all students in an asynchronous format (e.g., record a video of the lesson as opposed to asking students to tune in at a specific hour to watch it “live”).” This frees up educators to utilize the synchronous time to support students who need help, provide structures to connect with and among students, and utilize “live” times to support social/emotional standards (Open Circle meetings.)
- We also promote the sharing of recorded lessons across grade levels, lessening each individual workload and building engagement with “guest teachers” hosting lessons.
- METCO update-regular contact with Director, looking at orientation and meetings with prospective families, well checks, coordination with support, graduation planning for METCO graduates.
- Curriculum and other committee work is proceeding.
- YRBS Committee upcoming parent presentation online Thursday May 14th at 7PM. The webinar description is below. An Eventbrite page to collect registrations.

Vaping Trends & Cessation Support Webinar - Thursday May 14th, 7PM
 Since 2014, e-cigarettes have been the most commonly used tobacco product by youth in the United States. Over the past year, rates of e-cigarettes use among young people have skyrocketed. This webinar will help parents understand the current trends in e-cigarette/vape product use among teenagers, explore the most recent health data on the risks of vaping, and discuss vaping cessation support strategies and resources. Presenters: Samantha Salkin, BAPH, Outreach Coordinator, Reading Coalition for Prevention & Support Kathleen O’Leary, RN, MS, FNP-BC, NP-C, CTTS, Founder/CEO Lotus Health Education

- Professional Development plan which include updated planning (along with updated onboarding/mentor/induction work that was detailed last week)

Chief Financial Officer

Mrs. Dowd reported on the following:

Last night we provided an update to the Select Board of the activities the Command Group have been undertaking:

- As many of you have seen, the BOH has issued a Facial Covering Policy. We have posted the notice on all of the school buildings, ensured that our Food Services Director, Technology Staff and Custodians also were aware and are following the guidelines while in the buildings and in their dealings with the public (including food delivery, accepting deliveries and technology distributions).
- We are developing a plan for re-opening the buildings once the restrictions are released which we know have been pushed until at least May 18th. Starting next week, all of our custodians will be back for full shifts based on guidance released this week from the DLS allowing normal custodial work to begin. We are working closely with the BOH, Command Structure, Central Office and the building principals to develop a plan. As part of this we also realize that with the closing on March 13th we were not able to close down our kitchens, teachers were not able to pack up their classrooms and students did not clean out desks and lockers. We are looking at the safest way to allow these close out processes to happen.
- Also, the Facilities department has been working closely with the town and schools to also look at key high traffic areas to look at ways to add some protective measures similar to what you have seen at local grocery stores and convenience stores. We are scheduling meetings with each building to walk through and discuss our thoughts as we prepare to re-open. We are fortunate to have a group of individuals who are staying ahead of the curve in addressing safety needs as well as searching out PPE for the schools and Town personnel.
- All of these steps are being viewed from a safety standpoint and we will keep the committee and community informed as we develop the plans.
- We are also working closely with the Town Manager to review the financial landscape as information is provided from the state as well as federal government. We will be providing updates to the Committee as information becomes available.
- Also announced last night at the Select Board Meeting the Town will be holding a Mask Distribution for residents over 60 or with compromised immune systems. We have worked with the Command Group to coordinate the location and timing. It is currently scheduled for next Tuesday morning at the RMHS parking lot behind the field house. More information will be forthcoming from the Town over the next couple of days.

Financial

- Linda Engelson and Chris Schweitzer are working hard to process the refunds for full day kindergarten and RISE.
- We continue to review and monitor our operating budget and revolving accounts and are also monitoring all of our grants. We have been following the guidelines from the Federal and State agencies for all of our grants to ensure they are spent down appropriately or carried forward if allowable.
- We have made the difficult decision to furlough our extended day staffing – the office staff will remain and will be working on programs for the upcoming school year as well as cross training. Chris Nelson talked to all of the staffing regarding this decision.
- We are monitoring the Governor's orders and have not yet made decisions on our summer programs and facility rentals.

Regarding our Food Distribution:

- Charles D. Baker, Governor of the Commonwealth of Massachusetts, has proclaimed May 1, 2020 School Lunch Hero Day as a tribute to all school nutrition professionals in the Commonwealth. I want to give a huge thank you to Danielle Collins who is spearheading the food distribution for ourselves as well as Wakefield.
- We are feeding over 50 students and we have seen the need increasing slightly over the last couple of weeks.
- Danielle Collins continues to work very closely with the State to ensure we are staying current in all of the changes in requirements related to the service we are providing. The state and federal governments are issuing waivers and information almost on a daily basis. We are also working very closely with all of our commodity providers as well as the Federal food sources to ensure we are taking advantage of all of the various sources of funding.
- Over the next month we will continue to monitor the need and will work closely with the Town as well as the School Committee to ensure we have a well thought out plan as we transition to summer.

Superintendent

The Superintendent gave a shout out to the Central Office administrators for their continued support and hard work during this time. They meet every morning to share information. The District Leadership team meets three times a week with Directors attending one of these meetings.

He went on to acknowledge Swim coach Ken Holbrook who was recently inducted in the Eastern Mass Swim Coach Hall of Fame. He thanked him for his tenure and dedication to the student-athletes.

We continue to look for technology tools that will support remote learning.

He thanked the Behavioral Health/Districtwide Crisis team for providing resources.

Liaisons

Mr. Wise reported there was a RMLD update at the Select Board meeting.

D. New Business

Presentation by Labor Counsel Colby Brunt

Attorney Brunt will review the rules, roles and responsibilities of school committee members. She suggested that the committee should familiarize themselves with student handbooks, school committee policies, collective bargaining agreements and notices.

She went on to describe the SC authority reminding them that the committee acts as a whole body and not individuals. The fundamental responsibilities include setting the goals and policies, choosing a leader and approving a budget. DESE regulations state that the superintendent shall be evaluated by the school committee. She next referred to the Massachusetts General Laws pertinent to school committees including labor relations, open meeting laws, public records and conflict of interest. It was recommended that the committee refer to the Secretary of State and State Ethics Commission websites.

The committee asked about access to personnel records for supporting documents as part of the evaluation process such as exit interviews of principals and administrators and input from CO personnel.

Ms. Brunt said that committee members would have access to the superintendent's information and no access to personnel records.

There was a question regarding settlement agreements. These are public records and all identifiable information would be redacted.

A question was asked if a parent could speak about their child during public comment. Ms. Brunt cautioned the chair to be aware because the child is the topic under the jurisdiction of the school committee.

Mr. Robinson thanked Attorney Brunt for attending tonight's meeting.

Modular Project Update

Mrs. Dowd reviewed the bid process and timeline for the modular classrooms. She said that the bids do not include furniture, furnishings and equipment.

Mr. Huggins shared that we received favorable bid results. Based upon a review of the proposals by the Review Committee (comprised of Allison Jenkins, Town Procurement Officer, Joe Huggins, Director of Facilities, Kevin Cabuzzi, Assistant Facilities Director, Dale Gienapp, Architect and Gail Dowd, School Department CFO), the contract was awarded to Vanguard Modular Building Systems.

Prior to construction, DPW will be performing site work in preparation for construction which is anticipated to begin in July and be done prior to the start of school.

Mrs. Nazzaro asked about health & safety plans. The contractors will need to follow the protocols put in place by the state and town.

Mr. Robinson asked about the difference between the cost for 2 vs. 3 classrooms. Mrs. Dowd shared that due to the favorable pricing we are going with the 3 classrooms. Dr. Doherty added that he strongly recommends going with the bid as is, the committee has approved 3 classrooms.

Mr. Wise asked about unexpected costs. Mr. Huggins said that we will oversee the site work. There have been modular classrooms on the site before, so there are utility connections available. There will still be unexpected costs but Mr. Huggins acting as the Project Manager, will manage the contractors.

Transportation Contract Update

Dr. Doherty and Mrs. Dowd, along with the Superintendent and Business Manager from Wakefield and the Business Manager and the Executive Director of SEEM formed a SEEM Transportation Sub-Committee with the goal of negotiating an agreement with NRT. The negotiation was a collaboration of the working group as well as discussions with other surrounding districts. Financial information was obtained and reviewed to determine the reasonableness of the rate being negotiated. At the last SEEM Board Meeting, the Board authorized SEEM to enter into an agreement for the known closure, which at that time was through May 3, 2020. At the next SEEM Board meeting, they will discuss a second agreement that covers the period of May 4, 2020 through the end of the current school year. SEEM will bring forth an agreement that established a rate of 78% at their May 4th Board meeting. Each participating district will then be asked to

vote on at the district level. Wording has been included to state that the agreement has been reached, based upon guidance and recommendations from the Department of Elementary and Secondary Education that it supports the continued payment for uniquely positioned vendors that are primarily in operation to support districts during the Governor's Mandatory Closure because there is a tangible, monetary benefit to the school district for them to assure that transportation contractors remain a viable business entity so that when schools reopen they will be able to provide the necessary transportation. We anticipate this would result in approximately \$70,000. We will provide final figures once all the invoices have been recalculated based upon day count, monitors and locations.

Regarding our Regular Day Transportation, we have negotiated a 70% rate with the same process of reviewing the financial information, discussions with the vendor, with similar wording that they agree and represents that any of the invoices paid by the District are representative of costs related exclusively to the readiness of services. We anticipate this would result in approximately \$14,000. We will provide final figures once all the invoices have been recalculated based upon day count, monitors and locations.

Superintendent Evaluation Process

Dr. Doherty walked through the 5-step evaluation process. He will provide a large amount of evidence to support the process which he will provide in a drop box.

Many of the initiatives associated with the District Improvement Plan had been moving along until the stoppage at which point the focus had to be elsewhere.

Committee members suggested a 360-degree survey sent out to stakeholders that report to the Superintendent to assist in assessment. Dr. Doherty said he can create a survey that can be sent to direct reports. The survey would be anonymous with open-ended questions and can be shared with the committee.

Mr. Wise suggested a change in the timeline, moving everything forward three days.

E. Public Comment – emails received during meeting

Many of the comments regarding remote learning and tech platform have been addressed.

Email from Alicia Williams:

"Dear School Committee,

I just want to let you know that I had a wonderful conversation today with Miss Dowd and Mr. Huggins regarding the Birch Meadow modular project.

They eased my concerns regarding the slope down to the emergency access road and they were very helpful with my questions!

I have been concerned regarding the drainage and was hoping they were going to fix the hill.

I am happy to report they are!

*Thank you!
Alicia"*

Email from Michael Monahan

“If RPS does not resume in-person/in-building school during 09/2020, is RPS prophylactically endeavoring to construct a plan to host virtual classrooms that support live full class and synchronous teaching?”

I ask because the current model for asynchronous virtual teaching will not meet the needs of the children for any extended period of time. Children need structured time live (either in-person or virtually). The current remote learning model that is comprised of teachers advising students to independently read a text book or watch a YouTube video and then complete a worksheet is not a teaching/learning solution. This can and should be remedied before 09/2020, if the shutdown continues.

Second question – If a plan is not put in place to restore live whole classroom synchronous teaching, either in person or virtually, for the 09/2020 semester, I ask the RPS communicate that fact to families as soon as possible and ideally well in advance of 09/2020, so families have time to pursue alternative solutions at other private schools.

*Mike Monahan
Bancroft Ave.”*

Mrs. Kelley responded to Mr. Monahan’s first question by saying that our plan has been moving forward for the last seven weeks and we have held discussions regarding plans for next year.

Her response to his second question was that we will be following the guidance from the Governor and DESE.

1. Routine Matters

a. Bills and Payroll (A)

None

b. Calendar

2. Information/Correspondence

3. Future Business

4. Adjournment

Adjourn

Mr. Wise moved, seconded by Mrs. Nazzaro, to adjourn. The roll call vote carried 6-0. Mr. Parks, Mr. Wise, Mrs. Nazzaro, Mrs. Gaffen, Mr. Brandt and Mr. Robinson.

The meeting adjourned at 10:30 p.m.

NOTE: The minutes reflect the order as stated in the posted meeting agenda not the order they occurred during the meeting.

Link to meeting video: https://www.youtube.com/watch?v=rC_rJIUTU_U

Engelson, Linda

From: Alicia Williams <aw@cordelephotography.com>
Sent: Thursday, April 30, 2020 6:46 PM
To: DG School Committee
Subject: District School Platforms.

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Dear School Committee

Below is a list of 45 towns/districts I have researched and the platforms they use for online learning and connection. I have tried to included the *Middlesex League in its entirety but Wakefield is the outlier*. I even had the wonderful Marianne Downing do a deep dive into what schools use Microsoft Teams. The list of Microsoft Team users is very short.

I am sure there are more but we couldn't find many.

I did not cherry pick any districts for this list, I tried to research surrounding communities and peer communities as well as poll personal friends and teachers I know. All random.

Microsoft Teams has severe limitations. One main issue for the younger kids is that they can't see the entire class. The social emotional connection is really needed with these kids.

Today I hosted a first grade class meeting and one little boy was so upset his parents won't let HIM leave the house. He was so happy to see all his classmates ALSO couldn't leave the house. These kids need to see each other. Even if they are all on mute.

Microsoft Teams only allows a few people at a time to be seen.

You can view the list

here: https://docs.google.com/spreadsheets/d/1k2TJfPu4QrEf00IIWH90ltyqfmTGyk_3v10HNJFOXJs/edit?usp=sharing

Please explore another option for our students.

Thank you,

Alicia Williams
Parent

Engelson, Linda

From: Jessica Kaufman <jessica.kaufman@gmail.com>
Sent: Thursday, April 30, 2020 5:51 PM
To: DG School Committee
Subject: Microsoft Teams vs Google Meet

Follow Up Flag: Flag for follow up
Flag Status: Flagged

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Dear Reading School Committee,

I have heard from several educators in our town that they may only use Microsoft Teams for interactive video meetings. Google Meet is a competitor that works within Google Classroom and is currently freely available. I strongly encourage the school committee to let educators choose the tools that they personally prefer to work with students remotely.

<https://www.blog.google/outreach-initiatives/education/meet-for-edu/>

Sincerely,
Jessica Kaufman
34 Francis Dr, Reading, MA 01867

Engelson, Linda

From: Marianne Downing <mariannedowning@comcast.net>
Sent: Thursday, April 30, 2020 7:03 PM
To: DG School Committee
Subject: Public Comment for school committee meeting of 4/30/2020

Importance: High

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Good Evening School Committee and Dr. Doherty:

I have a public comment couple of questions. My questions concern the Remote learning update sent out today by RPS.

In particular, I am very concerned with these two statements in the letter:

UNDER REMOTE LEARNING: "teachers will be focusing on providing many opportunities for preview and exposure of skills not yet taught" (Under Remote learning)

And when it says

UNDER SCHOOL OPENING: ", the leadership team is working to make plans for learning when we return to school. These plans will include adjusted pacing guides that identify what learning standards will be condensed, what will be moved, and what may be skipped or done in a purely exposure way" (u

Can the Superintendent and/or the assistant Superintendent clarify what this letter means when it says things like "exposure" to learning or "preview" of skill?
Is that actual teaching or not?

The state specifically recommended, in its latest update that there should be "focus on TEACHING the content standards most critical for student success in the next grade level"

I am very confused because "exposure" and "preview" do not sound like "teaching".

Can you please explain?

Thanks

Marianne Downing
13 Heather Drive

Engelson, Linda

From: Robinson, Charles
Sent: Wednesday, April 29, 2020 12:04 PM
To: Caitlin Macallister Koehler
Cc: Engelson, Linda
Subject: Re: Could Zoom be back on the table?

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ms. Koehler:

Thank you for your email. I will make sure this observation/request is elevated for consideration. Thanks.

Chuck Robindon

From: Caitlin Macallister Koehler <caitlin.koehler@gmail.com>
Sent: Wednesday, April 29, 2020 11:32 AM
To: DG School Committee <SchoolCommittee@reading.k12.ma.us>
Subject: Could Zoom be back on the table?

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Hello,

Given that the school closure has been extended through the rest of the year, I would kindly ask that the idea of a Zoom meeting be revisited. With some enhanced privacy settings and the ability to password protect each meeting, it seems reasonable to reconsider. This platform has seemed to be the easiest and most interactive way to attempt to connect kids/teachers. The Microsoft Teams meeting platform really isn't great at all as you can only see a few kids at once. I don't think it is as user friendly either.

I would love it if the teachers have the ability to work with a platform that works best for them and the students. Perhaps it is Google hangouts or Zoom, but please consider giving them some flexibility so that we can get these kids and teachers up and running with some better virtual interaction.

Thank you for your consideration of this request.

Best,
Caitlin Koehler
Parent of Wood End Students



Town of Reading Meeting Minutes

Board - Committee - Commission - Council:

School Committee

Date: 2020-05-14

Time: 6:00 PM

Building:

Location:

Address:

Session: Open Session

Purpose: Open Session

Version: Draft

Attendees: **Members - Present:**

Chuck Robinson, John Parks, Tom Wise, Erin Gaffen, Carla Nazzaro and Shawn Brandt

Members - Not Present:

Others Present:

Superintendent John Doherty, Assistant Superintendent Chris Kelley, CFO Gail Dowd, Director of Student Services Jennifer Stys, Human Resources Administrator Jenn Allard, and Student Representative Maura Drummey

Minutes Respectfully Submitted By: Linda Engelson on behalf of the Chair

Topics of Discussion:

I. Call to Order

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Mr. Parks – here	Dr. Doherty – here
Mr. Wise – here	Mrs. Dowd – here
Mrs. Nazzaro – here	Dr. Stys – here
Mrs. Gaffen – here	Mrs. Allard – here
Mr. Brandt – here	
Mr. Robinson – here	

Mr. Wise moved, seconded by Mrs. Gaffen to enter into executive session for the purpose of discussing strategy with respect to litigation and to return to open session at approximately 7:00 p.m. The roll call vote carried. 6-0. Mr. Parks, Mr. Wise, Mrs. Nazzaro, Mrs. Gaffen, Mr. Brandt and Mr. Robinson.

The meeting adjourned at 6:02 p.m.

Mr. Robinson called open session back to order at 8:05 p.m.

A. Public Input

Mr. Robinson explained that public comment would be held at the end of the meeting allowing the public time to email questions to dgschoolcommittee@reading.k12.ma.us

B. Consent Agenda

Mr. Wise moved, seconded by Mr. Brandt, to approve the consent agenda. The roll call vote carried. 6-0. Mr. Parks, Mr. Wise, Mrs. Nazzaro, Mrs. Gaffen, Mr. Brandt and Mr. Robinson.

C. Reports

Student Representative

Student Representative Maura Drummey began by thanking the School Committee for the chance to serve as student representative. She went on to report on remote learning for this week. The AP exams will begin next week with students taking the exams online.

The Drama Club spring show was supposed to happen last week. The club held an interactive meeting and ran through the show.

Senior activity planning is picking up. The senior countdown will be virtual, and seniors can sign up for a day. The banners will be displayed on Instagram. The virtual prom was held, and a large number of seniors attended. They were able to set up a Zoom call for the RMHS students to connect. Faculty and staff delivered the senior t-shirts and cookies to the seniors.

Mr. Robinson asked what Ms. Drummey's future plans were. She will be attending Boston College in the fall.

RMHS principal Kate Boynton gave a shout out to Ms. Drummey and went on to thank the senior class and its officers, advisors and parents for all the support.

She reported on activities that have taken place to support the seniors including door decorations, 01867 license plates, an article in the Readings magazine, lawn signs, a staff video to all students, virtual prom and virtual countdown.

Ms. Drummey added that the following would be occurring during senior week: a virtual destination map, lip dub, live stream of MISSTER. RMHS and the senior slideshow, a scavenger hunt, on-line trivia and theme days for senior week.

Mrs. Boynton shared there will be a rolling rally on May 23rd starting at Jordan's Furniture and ending at RMHS. We are waiting for guidance from the state on graduation. We will hold a virtual awards night and hope to have an in-person celebration at a later date. Mrs. Boynton mentioned the senior gift which were stories read by seniors and recorded to be shared with the elementary students. The seniors shared information about their elementary school experience as well.

Director of Student Services

Dr. Stys thanked and congratulated Ms. Drummey. There has been instructional support meeting time, which we are calling office hours (State language).

Discussion is taking place regarding the ESY program. There are three models being considered: traditional, virtual and a hybrid of both. Parents should contact the team chairs with any questions/concerns.

Speech language pathologists, receiving guidance from their professional organization and state are asking that families sign a telecommunications waiver to allow to provide services. This waiver will be sent to all families.

Human Resources Administrator

Mrs. Allard gave a shout-out to the members of the Behavioral Health/Districtwide Crisis Team. The group, using input from the District Leadership Team and state, have developed a plan for transition support and how to support everyone emotionally when we return.

Superintendent

Dr. Doherty shared that Assistant Superintendent Chris Kelley had a death in her family and that our sympathies go out to her and her family.

Chief Financial Officer

Mrs. Dowd began by congratulating Ms. Drummey and wishing her the best of luck.

Mrs. Dowd updated the committee on the steps being taken in the schools to add some protective measures similar to what you have seen at local grocery stores and convenience stores. Plexiglass barriers are being installed in the main offices of the schools.

Mrs. Dowd reviewed the timeline for return to work. The district is also developing a reentry process saying it will be a slow transition.

Liaisons

Mrs. Gaffen reported that the SEPAC continues to meet weekly with Dr. Stys, Ms. Wright, Mrs. Kelley and Dr. Doherty. The SEPAC wants to hear from parents.

Mr. Wise read an email from Madeline Liberman and shared this was not a Reading Public Schools item. (attached)

D. New Business

Intermunicipal Agreement

Mrs. Dowd reviewed the contract saying that the arrangement with Wakefield to share the Food Service Director has worked very well and would like to extend the contract another three years.

Mr. Wise moved, seconded by Mrs. Gaffen, to authorize the Superintendent to enter a new Three Year Inter-Municipal Agreement between the Reading Public Schools and Wakefield Public Schools

The School Committee asked clarifying questions.

The roll call vote carried 6-0. Mr. Parks, Mr. Wise, Mrs. Nazzaro, Mrs. Gaffen, Mr. Brandt and Mr. Robinson.

FY 21 Budget Update

Mrs. Dowd shared that she and the Superintendent have been working closely with the Town Manager and Town Accountant on the FY21 budget. Discussions have been held with the District and Central Office Administrative teams outlining the changes in the FY21 budget that were presented to the Finance Committee on Tuesday. There are many unknowns as we await guidance from the state and DESE. We have been in contact with other districts throughout the closure.

Mr. Wise asked if we were bound to a 9:55 p.m. stop time. He then asked if we should proceed with these cuts or proceed with using free cash.

Mr. Brandt asked about the increased demand for substitutes and if there is a way to put ourselves in a better position. Mrs. Dowd said it would be difficult budgetarily – paying for services not rendered.

Mr. Wise interjected due to the time restraints if the Social Media Policy should be postponed.

Mr. Wise moved, seconded by Mr. Brandt, to postpone discussion of the Social Media Policy until the next meeting. The roll call vote carried 6-0. Mr. Parks, Mr. Wise, Mrs. Nazzaro, Mrs. Gaffen, Mr. Brandt and Mr. Robinson.

Mr. Wise moved, seconded by Mr. Parks, to petition the Finance Committee to move the budget presented in January to Town Meeting.

Mrs. Dowd cautioned that \$160,000 in reductions (offsets) would have to be found.

Discussion continued regarding the FY21 budget.

Mr. Wise withdrew his motion.

E. Public Comment – emails received during meeting

None was discussed due to time constraints.

1. Routine Matters

a. Bills and Payroll (A)

Warrant S2043	4.23.20	\$76,493.85
Warrant S2044	4.30.20	\$9,323.32
Warrant S2045	5.07.20	\$436,602.62

b. Calendar

2. Information/Correspondence

None

3. Future Business

None

4. Adjournment

Adjourn

Mr. Wise moved, seconded by Mrs. Nazzaro, to adjourn. The roll call vote carried 6-0. Mr. Parks, Mr. Wise, Mrs. Nazzaro, Mrs. Gaffen, Mr. Brandt and Mr. Robinson.

The meeting adjourned at 10:00 p.m.

NOTE: The minutes reflect the order as stated in the posted meeting agenda not the order they occurred during the meeting.

Link to meeting video: <https://www.youtube.com/watch?v=gm1jQXJM3YE>

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



Christine M. Kelley
Assistant Superintendent

Jennifer A. Stys, Ed.D.
Director of Student Services

Gail Dowd, CPA
Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow

TO: Reading School Committee

FROM: John F. Doherty, Ed.D.
Superintendent of Schools

DATE: May 26, 2020

TOPIC: SEPAC Presentation

At our meeting on Thursday evening members of the SEPAC Board will update the Committee on their mission statement, goals and highlights from the 2019-20 school year and a look ahead to the 2020-21 school year.

If you have any questions, please contact me.

Reading SEPAC 2019-2020

May 28, 2020

End of School Year Report to School Committee

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Presented by
2019-2020
Board Members

Maria Morgan

Laura Noonan

Alyssa Scaparotti

Amy Stewart

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Reading SEPAC Mission Statement

The mission of the Reading Special Education Parent Advisory Council (SEPAC) is to work for the understanding of, respect for, and support of, all children with special needs in the community. To that end, they will work to:

- *Promote a network of parents of children with special needs, and provide a forum to share information
- *Advise the Director of Student Services, School Committee, and Superintendent on special education programs and policies, and parent and teacher training needs
- *Promote communication and sharing of information between SEPAC members, local, state and national organizations, councils and groups, as well as within the community to encourage understanding, acceptance and inclusion of students with special needs
- *Provide informational workshops to parents, educators, students and professionals

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2019-2020 Goals (Pre-Covid-19....)

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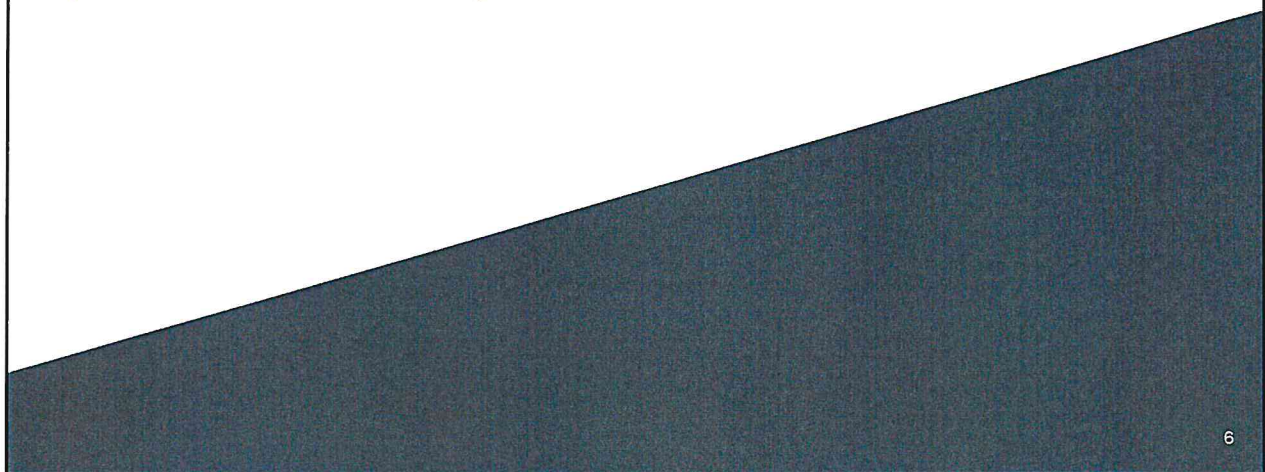
2019-2020 Goals (Pre-COVID-19)

- Orient new board and develop SEPAC efficacy
- Welcome and engage families
 - Publicize SEPAC and its events
 - Create a SEPAC Facebook page
 - Increase attendance at monthly meetings
 - Increase attendance at annual Basic Rights Workshop
- Provide caregiver support
- Collaborate with district officials, especially the new Director of Student Services, Dr. Jennifer Stys
- Identify needs for systemic advocacy and provide that advocacy

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2019-2020 Year at a Glance (Pre-Covid-19....)



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2019-2020 Year at a Glance (Pre-COVID-19)

Accomplishments:

- Increased SEPAC awareness
- “Role of the SEPAC” presentation by FCSN
- Increased attendance at meetings, including “Basic Rights: Understanding the IEP” Workshop by FCSN (38 attendees including 3 administrators)
- Designated SEPAC budget liaison and updates
- Outreach to and collaboration with community partners
 - METCO
 - Reading Educational Foundation (Festival of Trees)
 - Understanding Disabilities (presentation at community forum)
- Outreach to neighboring communities’ SEPACs

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SEPAC 2019 Festival of Trees: *Many Colors, One “PAC”*



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2019-2020 Year at a Glance (Pre-COVID-19)

Accomplishments Cont.

- Collaboration with school and district-level administrators
 - Regular meetings between two SEPAC board members and Dr. Stys and Ms. Wright
 - Updated special education program descriptions
 - Seclusion and restraint workshop
 - Section 504 resources
 - DESE Tiered Focus Monitoring (TFM) (approx. 114 parent responses)
 - Basic Rights: Understanding the IEP (MassPAC Plus membership funded by District)

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2019-2020 Year at a Glance (Pre-COVID-19)

Areas for Growth/Improvement

- Encourage and support greater access by Reading families to education and leadership trainings offered by FCSN.
- “LinkedUp” proposal and/or SEPAC parent liaison/mentor for each school.
- Provide caregiver support and social opportunities.
- Engage under-represented groups.
- Collaborate with school parent-teacher organizations.

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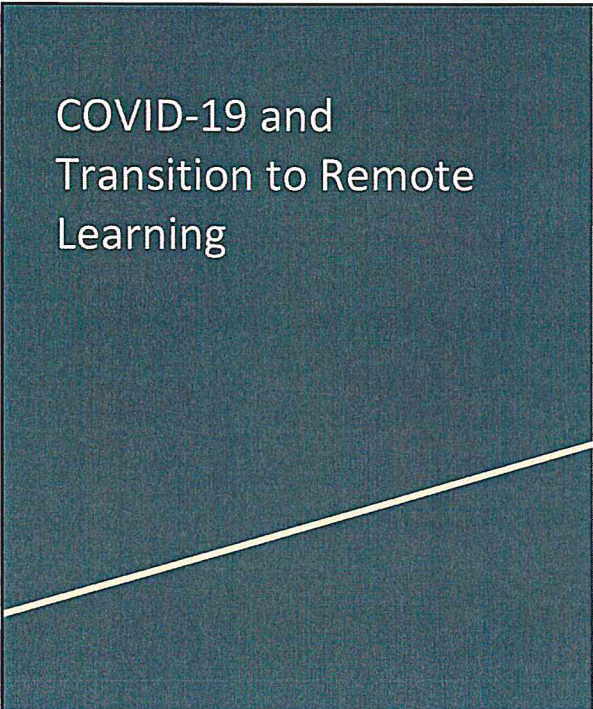
COVID-19 and Transition to Remote Learning



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COVID-19 and Transition to Remote Learning



- Weekly video-conferences with district officials
- Solicited feedback from parents on remote learning plans and shared with district officials - SEPAC received 33 communications from families
- Promoted credible and accurate sources of information to families, such as DESE guidance, FCSN webinars, and District emails
- We are grateful for the district's collaboration with the SEPAC and for its consideration of family feedback

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Looking ahead to 2020-2021

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Looking ahead to 2020-2021

- Supporting and engaging families in the “new normal”
- Educating families about special education rights in remote learning circumstances
- Virtual SEPAC business meetings compliant with Open Meeting Laws if needed
- Seeking board members, particularly representative of families with middle and high school students
- Caregiver support and social opportunities

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Special thanks to:

- SEPAC parents and caregivers
- FCSN, MassPAC, SPAN
- Our School Committee Liaisons Jeanne Borawski and Erin Gaffen
- Student Services Director Jennifer Stys and Assistant Director Allison Wright
- School and district administrators
- Annmarie Foley

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Connect with SEPAC:

- On the web: <https://www.reading.k12.ma.us/departments/student-services/sepac/>
- Facebook
<https://www.facebook.com/SEPAC.Reading>
- Email SEPACReading@gmail.com to be put on our BCC mailing list
- Email any board member--addresses available on our webpage

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John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



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Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow

MEMORANDUM

TO: Reading School Committee
FROM: Jennifer Allard, Human Resources Administrator
CC: John F. Doherty, Superintendent of Schools
DATE: May 26, 2020
RE: Personnel Quarterly Report-2nd/3rd Quarter FY20

This is a summary of the 2nd/3rd quarter personnel report for the 2019-2020 school year. The 2nd/3rd quarter personnel report is inclusive of all relevant personnel actions between the dates of December 10, 2019 through, May 8, 2020.

As shown in Table 1 below the Reading Public Schools has **hired 7 (6.09 FTE)** new professional employees. In this context professional employees include Teachers, Administrators, Paraeducators, Custodial Workers, and Secretaries. This does not include Cafeteria Workers, Daily Substitutes, Long-term Substitutes, Coaches and Extended Day Staff and any other short-term, seasonal, or temporary positions.

Please use this key to help define how FTE's for each position type are calculated:

FTE Calculations
1.0FTE Paraeducator works 70 hours biweekly
1.0FTE Secretary works 75 hours biweekly
1.0FTE Custodian works 80 hours biweekly
1.0FTE Teacher works 70 hours biweekly

Table 1: Newly Hired Professional Employees

First Name	Last Name	DOH	Position	Location	FTE
Kathryn	Boucher	1/13/2020	Regular Education Tutor	Barrows	0.46
Angela	Bennett	2/24/2020	Accounting Assistant	Central	1.0
Matthew	Chase	12/16/2019	Special Education Program Paraeducator	Eaton	0.8
Dulce	Arellano	1/2/2020	Special Education Paraeducator	Eaton	0.8
Victoria	Ryan	2/3/2020	Special Education Teacher	Eaton	1.0
Kaleigh	Laventure	2/24/2020	Math Teacher	Parker	1.0
Alexandra	Sliwoski	2/12/2020	Social Studies Teacher	RMHS	1.0

TOTAL FTE	6.09
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The table below represents all budgeted positions for which a vacancy occurred in 2nd and 3rd quarter of FY20:

Table 2: FY20 Budgeted Positions

First Name	Last Name	DOH	Position	Location	FTE
Kathryn	Boucher	1/13/2020	Regular Education Tutor	Barrows	0.46
Angela	Bennett	2/24/2020	Accounting Assistant	Central	1.0
Matthew	Chase	12/16/2019	Special Education Program Paraeducator	Eaton	0.8
Dulce	Arellano	1/2/2020	Special Education Paraeducator	Eaton	0.8
Victoria	Ryan	2/3/2020	Special Education Teacher	Eaton	1.0
Kaleigh	Laventure	2/24/2020	Math Teacher	Parker	1.0
Alexandra	Sliwoski	2/12/2020	Social Studies Teacher	RMHS	1.0

TOTAL FTE	6.09
------------------	-------------

Internal Transfers:

The Human Resources Department also works to fill position vacancies through internal transfer that may occur within the District. For this quarterly report Human Resources processed 18 internal position transfers. None of these internal transfers resulted in an addition in staff (FTEs).

Open Job Requisitions:

At this time due to COVID-19 impacts we do not intend to onboard any newly hired employees for the remainder of the 2019-2020 school year. As previously communicated, we have been moving forward with the hiring for the 2020-2021 school year with a focus on essential positions.

The table below displays the number of and the reason for Teacher termination/resignation:

Table 3: Reason for Teacher Separation

Reason for Separation	# Teachers
Involuntary Termination	1
Resignation- Career Change	1
Resignation- Career Advancement	2

Table 4: Reason for Separation Descriptions

Reason for Separation	Description
Involuntary Termination (Non-renewal)	The District has chosen to terminate a teacher for performance related reasons
Involuntary Termination (RIF)	Reduction in force; the position has been eliminated
Involuntary Termination (1 yr. assignment)	The teacher was filling a one-year leave of absence
Resignation-Career Change	The teacher has left the field of education to pursue a new career path
Resignation-Medical (personal or family)	The teacher has chosen to resign from the position for medical reasons
Resignation-Full Time Position	The teacher was less than 1.0 FTE status with RPS and has found another position out of district that is full time
Resignation-Career Advancement	The teacher is pursuing career advancement in another district that was not available to them within our district
Resignation-Commute	The teacher has found a position of closer proximity to their home
Resignation-Lifestyle	The teacher has chosen to resign to spend time caring for their family
Resignation-Relocation	The teacher has moved
Resignation-Job Demands	Amount and or frequency and or nature of the work
Resignation-None Given	Declined to disclose

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



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Gail S. Dowd, CPA
Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow
MEMORANDUM

TO: Reading School Committee
FROM: Gail Dowd
CC: John Doherty
DATE: May 27, 2020
RE: FY'20 Budget Update

At the Reading School Committee meeting on Thursday, May 28, 2020, we will provide the Committee with an update on the Fiscal 2020 Budget. The table below reflects that we currently have an unencumbered balance of \$355,638 in the School Department Budget which represents approximately 0.7% of the Fiscal 2020 Budget.

FY20 Budget Projection As of April 17, 2020

	FY'20 Adopted Budget 17-Apr-20 \$	Budget Transfers \$	FY'20 Revised Budget 17-Apr-20 \$	Expended as of 17-Apr-20 \$	Encumbered as of 17-Apr-20 \$	Remaining Balance 17-Apr-20 \$	Projected Remaining Expense \$	Under (Over) Budget \$
Administration	1,093,892	35,000	1,128,892	864,497	5,316	259,079	267,074	(7,995)
Regular Day	27,015,632	(35,000)	26,980,632	18,134,927	428,006	8,417,699	8,229,759	187,940
Special Education	15,227,638	-	15,227,638	9,417,367	1,241,070	4,569,200	4,340,778	228,422
District Wide:								
Health Services	692,113	-	692,113	443,260	11,603	237,250	237,117	133
Extra Curricular	77,603	-	77,603	92,635	1,049	(16,081)	6,453	(22,534)
Athletics	671,715	-	671,715	623,559	64,534	(16,378)	(65,098)	48,720
Technology	599,911	-	599,911	402,498	15,895	181,519	189,854	(8,336)
Subtotal - District Wide	<u>2,041,343</u>	<u>-</u>	<u>2,041,343</u>	<u>1,561,952</u>	<u>93,081</u>	<u>386,310</u>	<u>368,327</u>	<u>17,983</u>
School Facilities	1,388,844	10,000	1,398,844	1,161,882	71,239	165,723	236,435	(70,712)
TOTAL	<u>\$ 46,767,348</u>	<u>\$ 10,000</u>	<u>\$ 46,777,348</u>	<u>\$ 31,140,624</u>	<u>\$ 1,838,713</u>	<u>\$ 13,798,011</u>	<u>\$ 13,442,373</u>	<u>\$ 355,638</u>

Since the last update provided to the School Committee the landscape of the schools has changed in several respects due to the physical closure of the schools on Friday, March 13th. While the closure has resulted in various savings across each cost center, there are also additional expense and unanticipated impacts to all of the Revolving Accounts. The summary provided will illustrate and highlight the various savings as well as additional expenses anticipated.

Since the closure of Schools on March 13, 2020 we have experienced savings related to decreased overtime within Facilities, decreased costs associated with daily substitutes (including paraprofessional coverage and custodial coverage), open positions that have not been filled (facilities, administration, paraprofessionals) and less transportation, athletic officials, coaching stipends related to cancellation of spring sport season. While we have had savings there are also areas in which we are experiencing additional costs and/or lost revenue. As discussed in previous committee meetings we have refunded/forgiven one month of payment for both our Full-Day Kindergarten and RISE fee-based programs. In addition, we have experienced lost rental revenue, ticket sales for extra-curricular shows, as well as decreased student activities in our extended day, use of school property, athletics and extra-curricular revolving accounts. We have also seen an increase in legal fees associated with COVID19 related items mainly around personnel items.

The following two tables summarize the surplus/(deficit) by Expense Category and Cost Center and are followed by more detailed explanations.

Expense Category	Surplus/ (Deficit) (\$)	Explanation
Salary savings district wide	541,121	Reflects projected salary savings across all five cost centers resulting from salary differences in turnover, retirements, timing of when positions are filled during the year, savings from currently unfilled positions and unpaid leaves of absence. In addition, budget included estimate for sick leave buyback related to teacher retirements, to date none are anticipated.
Special Education (non-salary)	195,108	Projected savings relates to anticipated savings in legal expenses, consultation, transportation and out-of-district placements.
Other Expense Accounts	(380,591)	Projected deficits reflect the reallocation of savings to purchase additional technology and PPE.
Total	<u>355,638</u>	

Cost Center	Surplus (Deficit) (\$)	Variance to Total Budget (%)	Explanation
Administration	(7,995)	(-)	Projected deficit reflects additional legal expenses associated with COVID19 related personnel and contract related items. Also reflected is a recommended decrease in the offset from the Extended Day Revolving Account.
Regular Day	187,940	0.4	Projected surplus reflects salary savings across all eight schools related to staff turnover, retirements, timing of when positions are filled during the year, the impact of open positions and the impact of unpaid leaves of absence. Also reflected is savings related to no known sick leave buyouts related to teacher retirements. Due to the school closure effective March 13 we also have experienced savings in daily substitutes as well as professional development. Reflected within the figures is a recommended decrease in the Full Day Kindergarten offset as well as offsets from the Parker and Coolidge Drama Revolving Accounts.
Special Education	228,422	0.5	Projected surplus reflects salary savings related to staff turnover and timing of when positions are filled as well as open paraprofessional positions and less substitute coverage required due to the School closure. The projection reflects a minimal increase in the final FY'19 Circuit Breaker and the ability to prepay FY'20 tuition in FY'19. Also reflected are savings in transportation and out-of-district tuitions. Also reflected is a recommended decrease in the RISE offset.
District Wide	17,983	-	Projected surplus primarily reflects salary savings within the Athletics Cost Center due to the cancellation of spring sports as well as savings related to athletic facility rentals. Also reflected is a proposed decrease in the Athletics and Extra Curricular Revolving Fund offsets, as well as purchases for athletic and band uniforms Utilizing portions of the surplus funding.
Facilities	(70,712)	(0.2)	Projected deficit reflects salary savings due to an unfilled open position, a decrease in overtime offset by increased expenses related to purchasing equipment, cleaning chemicals and PPE related to COVID19. Also reflected is a proposed decrease in the Extended Day and Use of School Property offsets.
Total	355,638	0.7	

Summary by Cost Center:

The projected Administration Cost Center deficit of \$7,995 reflects additional legal costs associated personnel and contract items related to COVID19. In addition, we are recommending a decrease in the budgeted offset within the Administration cost center of \$20,000 from the Extended Day Revolving Account as we have experienced a decrease in the overall balance due to the closure of the program on March 13, 2020 while we continued to pay individuals through May 8th. We are requesting a budget transfer in the amount of \$10,000 to cover the anticipated increase in legal expenses as well as the recommended decrease in the offset from the Extended Day Revolving Account.

The projected Regular Day Cost Center surplus of \$187,940 is due primarily to salary savings spread across all eight schools associated with staff turnover, retirements, timing differences of when positions were filled during the year, unfilled positions, as well as the impact of unpaid leaves of absence. In addition, savings are currently anticipated as the budget included an estimate for sick-leave buy backs for potential teacher retirements that will not be incurred.

Due to the closing of schools on March 13, 2020 we also have savings in our daily substitute line items as well as Professional Development. We are recommending a decrease in the Full Day Kindergarten offset of \$150,000 due to the refund/forgiveness of one payment as well as an anticipated decrease in enrollment in fiscal 2021. Within the Regular Education Cost Center, we have reflected additional costs associated with remote learning including a ZOOM license and additional technology purchased.

The Special Education Cost Center is currently projected to have a surplus of \$228,422. The surplus reflects the factors detailed below:

- The Special Education Cost Center reflects the district's ability to prepay approximately \$450,000 in out-of-district tuition with FY'19 funds as well as a slight increase in the final FY'19 circuit breaker reimbursement of \$35,796 due to an increase in the reimbursement rate. (MGL 71D allows for the prepayment of tuition for a period not exceeding three months.)
- We continue to monitor our out-of-district tuition and associated transportation and to date we have experienced savings due to changes in placements and certain placeholders being released once known placements were finalized. The increased funding (\$300,000) allocated as part of the FY'20 budget process and the ability to pre-pay at the end of the last fiscal year has effectively closed the gap in our anticipated expenditures.
- We have additional salary savings due to unpaid leaves of absence, open paraprofessional positions as of the school closure as well as a reduction in daily substitute coverage
- Throughout the year we have experienced savings within the legal and consultation areas as we have worked collaboratively to monitor the expenses. We are closely monitoring any additional costs associated with tutoring or other services associated with the closure of the schools.
- We are recommending a decrease of \$100,000 to the offset from the RISE Revolving fund due to the refund/forgiveness of one payment as well as an anticipated decrease in enrollment in fiscal 2021.

The District Wide Programs Cost Center (comprised of Health Services, Extra Curricular, Athletics and Technology) is currently projected to have a surplus of \$17,983 which is the result of salary savings as well as savings within the Athletics Cost Center due to the cancellation of the Spring Sports season due to the Schools closing as of March 13 as well as savings experienced with facilities rentals. We are recommending a reduction in the offsets from the Extra Curricular Revolving Fund and the Athletics Revolving Fund in the amount of \$15,000 and \$90,000, respectively to reflect the lost student fees as well as lost ticket sales as well as to adjust for potential decreases that may occur in fiscal 2021. We are also recommending that we replace marching band uniforms and athletic team uniforms, the estimated cost of which has been reflected.

The School Facilities Cost Center is currently projected to have a deficit of \$70,712 which is the result of a recommended decrease in the offsets from the Use of School Property and Extended Day Revolving Accounts of \$44,444 and \$55,556 respectively. The Facilities cost center has salary savings due to unpaid leaves of absence as well as an unfilled position. We have increased expenses associated with purchasing additional cleaning equipment, cleaning supplies and PPE. We are requesting a budget transfer of \$75,000 to cover these additional costs.

We are requesting the School Committee vote to authorize the following cost center transfers to cover the projected deficit:

- Transfer \$10,000 to the Administration Cost Center from the Special Education Cost Center
- Transfer \$75,000 to the Facilities Cost Center from the Special Education Cost Center

We are requesting that the School Committee vote to authorize the following changes in the Revolving Account Offsets:

- Reduce the offset from the Extended Day Revolving account by \$75,556
- Reduce the offset from the Use of School Property Revolving Account by \$44,444
- Reduce the offset from the Full Day Kindergarten Revolving Account by \$150,000
- Reduce the offset from the RISE Revolving Account by \$100,000
- Reduce the budgeted offset from the RMHS Extra Curricular Revolving account by \$15,000 and the Coolidge Drama and Parker Drama Revolving Accounts each by \$12,000
- Reduce the budgeted offset from the Athletics Revolving account by \$90,000

Below are two revised summary tables of the projected balances in each Revolving Account as of June 30, 2020 and June 30, 2021. The tables reflected the recommended decrease in the offsets for both fiscal 2020 and fiscal 2021. We will continue to monitor the Fiscal 2021 figures as additional information becomes available regarding reopening of buildings and the return to school, The balances are estimates as we are still reconciling and ensuring all expenses and deposits reflected and refunds processed.

Revolving Fund:	Balance 30-Jun-19	FY20 Projected Revenue	FY20 Projected Offsets	FY20 Projected Expenses	Projected 30-Jun-20
Athletic Activities	\$ 141,908	\$ 339,677	\$ 246,900	\$ 47,365	\$ 187,319
Drama Activities RMHS	\$ 51,903	73,748	15,000	42,280	68,371
Drama Activities Coolidge	31,120	11,581	-	14,848	27,853
Drama Activities Parker	36,261	16,031	-	16,377	35,915
Extended Day Program	915,443	847,480	119,444	1,463,185	180,295
RISE Preschool Program	219,485	254,571	230,000	15,699	228,358
Use of School Property	85,134	203,509	85,556	78,983	124,104
Special Education Tuition	83,313	46,968	80,000		50,281
Full Day Kindergarten Tuition	832,234	765,360	950,000	-	647,594
Total	\$ 2,396,801	\$ 2,558,927	\$ 1,726,900	\$ 1,678,737	\$ 1,550,091

Revolving Fund:	Projected 30-Jun-20	FY21 Projected Revenue	FY21 Budgeted Offsets	FY21 Direct Expenses	Projected Balance 30-Jun-21
Athletic Activities	\$ 187,319	\$ 350,000	\$ 366,900	\$ 65,000	\$ 105,419
Drama Activities RMHS	68,371	60,000	40,000	40,000	48,371
Drama Activities Coolidge	27,853	17,000	4,500	15,000	25,353
Drama Activities Parker	35,915	27,000	4,500	25,000	33,415
Extended Day Program	180,295	1,878,607	175,000	1,654,773	229,129
RISE Preschool Program	228,358	275,000	320,000	22,000	161,358
Use of School Property	124,104	170,000	105,000	100,000	89,104
Special Education Tuition	50,281	40,000	50,000		40,281
Full Day Kindergarten Tuition	647,594	890,000	1,050,000	-	487,594
Total	\$ 1,550,091	\$ 3,707,607	\$ 2,115,900	\$ 1,921,773	\$ 1,220,025

We will be prepared to discuss this request at Thursday's meeting and answer any questions you may have. Please feel free to contact me if you have specific questions you would like addressed or if you need additional information.

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



Christine M. Kelley
Assistant Superintendent

Jennifer A. Stys, Ed.D.
Director of Student Services

Gail S. Dowd, CPA
Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow
MEMORANDUM

TO: Reading School Committee

FROM: Gail Dowd

CC: John Doherty

DATE: May 27, 2020

RE: Transportation Negotiation Update

At the Reading School Committee meeting on Thursday, May 28, 2020, we will provide the Committee with an update on the status of the negotiations with our regular education vendor (North Suburban) and special education (North Reading Transportation). In addition, we will ask the Committee to approve the renegotiated terms with each vendor.

The Senate has approved Senate Bill 2680 and the House has approved House Bill No. 4752 both which provide guidelines regarding payments in accordance with MGL Chapter 41, Sections 52 and 56 as they related to payments on an existing service contract for school or education-related services for the period beginning on or after March 10, 2020 through the remainder of fiscal year 2020 on an existing service contract for school or education-related services entered into by the school committee or a service contract renegotiated or modified by the school committee in order to maintain the availability of and access to the services secured under the underlying contract between the parties.

As previously discussed, the negotiations were entered into in order to ensure continuity of service when schools reopen (either for ESY or in the fall).

We have negotiated a reduced rate of 70% for North Suburban for our regular education transportation which includes our mandated transportation as well as our METCO transportation.

SEEM, through a subcommittee of which Dr. Doherty and I participated, have negotiated a reduced rate of 78% for our special education transportation.

We respectfully request that the Committee vote to approve these negotiated rates. By approving these rates we have been informed by each Company that they will maintain their staffing to ensure continuity of service when schools reopen.

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



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Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow

TO: Reading School Committee

FROM: John F. Doherty, Ed.D.
Superintendent of Schools

DATE: May 26, 2020

TOPIC: Scheduling of Retreat

At our meeting on Thursday evening the School Committee members will determine a date to hold a retreat for the purpose of reviewing the District Improvement Plan Goals for next year.

If you have any questions, please contact me.

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



Christine M. Kelley
Assistant Superintendent

Jennifer A. Stys, Ed.D.
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Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow

TO: Reading School Committee

FROM: John F. Doherty, Ed.D.
Superintendent of Schools

DATE: May 26, 2020

TOPIC: First Reading of Policy BHE – Use of Electronic Messaging by School Committee Members & Policy BHEA – Use of Social Media by School Committee Members

At our meeting on Thursday evening, the Committee will hold the first reading of Policy BHE - Use of Electronic Messaging by School Committee Members & Policy BHEA – Use of Social Media by School Committee Members. I am attaching a copy of the redlined versions of the policies for your review. I am also including the recommended procedures and copies of OML cases.

If you have any questions, please contact me.

PROCEDURES FOR USE OF SOCIAL MEDIA ~~USE~~ BY SCHOOL COMMITTEE MEMBERS

Procedure Specific Definitions

Social Media – forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos).¹ Examples include, but are not limited to Facebook, Twitter, Instagram, Reddit, LinkedIn and interactive Blogs.

Blog – a website that contains online personal reflections, comments, and often hyperlinks, videos, and photographs provided by the writer.²

Tagging – a Social Media functionality commonly used on Facebook, Instagram and Twitter that allows users to create a link back to the profile of the person shown in the picture or targeted by the update.³

Like – A Like is an action that can be made by a Facebook or Instagram user. Instead of writing a comment or sharing a post, a user can click the Like button as a quick way to show approval.³

Expectations of the School Committee Members when using social media:

1. The intent of the Open Meeting Law was to avoid private, back room deliberation and deal making. As such, the phrase “between or among” is important in the deliberation definition within the law.
2. A quorum of public body members should not discuss topics under their jurisdiction between or among themselves in any electronic form, including Social Media platforms, whether open or closed. School Committee members should also refrain from acting in any way that gives the appearance of deliberation by School Committee members in any online forum.
3. School Committee ~~Public body~~ members should generally avoid posting policy positions or opinions concerning topics under their jurisdiction, but rather stick to factual information sharing.
4. School Committee members shall refrain from commenting on Social Media pages of other School Committee members when the topic of the original post may be a topic under the jurisdiction of the School Committee.
4. ~~Posting to a personal Social Media page, even if members of the public body are friends or connections, does not rise to deliberation so long as a quorum of that public body does not actively respond to the same post.~~
5. School Committee members may respond to posts within a private or public Social Media group or website so long as the intent is communicating with the Public, not other members of the School Committee.
5. ~~Posting to a public Social Media group or website, with the intent of communicating with the public, does not rise to deliberation so long as a quorum of the public body does not actively respond to the same post.~~
6. ~~Posting to a private Social Media group or website is a bit riskier, but again, we need to look at intent. Is the intent to inform the public or have a private conversation? Proving the intent can~~

¹ <https://www.merriam-webster.com/dictionary/social%20media>

² <https://www.merriam-webster.com/dictionary/blog>

³ <https://blog.hubspot.com/marketing/social-media-terms>

~~be harder in a closed group, but is still highly possible, especially with very large Social Media groups. Thus, again, posting with the intent of communicating to the public does not rise to deliberation so long as a quorum of the public body does not actively respond to the same post.~~

6. When posting or replying on topics under the jurisdiction of the School Committee, School Committee members should avoid the perception of communicating to other members of the School Committee when posting to Social Media platforms by:
 - a. Avoiding directing commentary to them.
 - b. Avoiding Tagging them in the post or response.
 - ~~a.c.~~ Avoiding reacting to posts from them via Like or other such reaction options.

Method of Execution / Engagement with the Public via Social Media Platforms

As such, the method by which the School Committee will engage via Social Media is as following:

1. Members of the School Committee, via an opt-in model, will rotate the role of Social Media Coordinator on a monthly basis. Two members of the School Committee will be Coordinators per month. This allows for the following:
 - a. Members of the School Committee that do not wish to participate do not have to.
 - b. Maintaining a maximum of two members as coordinators per month will greatly reduce the possibility of accidental deliberation as it will be two members less than a quorum of the Committee.
 - c. The rotation will enable Committee Members to avoid burn out and feeling as though they are always on duty.
 - d. The rotation will prevent the monopolization of information sharing by a one or more members of the Committee.
 - e. The rotation will mimic the currently existing practice of two Committee Members holding office hours prior to an Open Meeting.
2. The School Committee will establish a Facebook page and Twitter profile with the intent of using them to distribute meeting information, documentation and links to School Committee materials (i.e. meeting agendas, meeting packets, links to recorded meetings, etc.).
 - a. Regarding the Facebook page:
 - i. The Chair and Vice Chair of the School Committee will be Page Administrators.
 - ii. All other willing School Committee Members will be Page Editors.
 - iii. To avoid duplicative means of communication with the Committee, Facebook Page comments and messaging will be turned off.
 - iv. Instead, the Facebook Page will refer members of the public to the School Committee's e-mail distribution list.
 - b. Regarding the Twitter profile:
 - i. All willing members of the School Committee will be Team Members as permissible via Tweetdeck.
 - ii. Team Members will turn on the 'Confirmation step' option in order to avoid accidentally posting.
3. Members of the School Committee in the role of Social Media Coordinator will ensure that the Chair of the Committee is kept abreast of all communications with the public via Social Media platforms.
- ~~2.1. Members of the School Committee up for reelection will be exempt/excluded from participation in this Policy as they run their campaign. This will shorten the roster of Committee Members to officially respond but will also remove conflict of interest concerns during an election period. For the avoidance of doubt, the period covered for this clause will run from the official filing date for the Election Period with the Town Clerk to the day of the Election, inclusive.~~
- ~~3.1. Members of the School Committee in the role of Social Media Coordinator will ensure that the Chair of the Committee is kept abreast of all communications with the public via Social Media platforms.~~
4. When responding to posts in public or private Facebook groups or on Twitter posts:

- a. Social Media Coordinators should ~~It is the obligation of the Social Media Coordinators to~~ carefully review Social Media threads for other members of the School Committee before responding to the thread. The intent of this clause is to avoid serial communication and potential accidental tripping of the deliberation definition.
 - b. Social Media Coordinators should refrain from being drawn into back and forth arguments with the public and should be mindful of the role they are fulfilling for the School Committee.
 - ~~a-c.~~ Social Media Coordinators should refer the public to previous materials (Meeting Packets, YouTube links, Policy documents, etc.) already posted where possible or otherwise post factual information.
- 4.5. If a School Committee Member is unable to fulfill their obligation as Social Media Coordinator, they shall discuss the conflict with the Chair so a suitable substitute can be appointed, as and when necessary.
6. Members of the School Committee up for reelection will be exempt/excluded from participation in this Policy as they run their campaign. This will shorten the roster of Committee Members to officially respond but will also remove conflict of interest concerns during an election period. For the avoidance of doubt, the period covered for this clause will run from the official filing date for the Election Period with the Town Clerk to the day of the Election, inclusive.
7. For the avoidance of doubt, nothing this is Procedure prohibits a School Committee member from creating their own official School Committee Member Facebook Page or Twitter Account.
- 5.8. For the avoidance of doubt, nothing in this Policy Procedure restricts the ability of a School Committee member from posting to their personal Social Media pages or engaging in Social Media discussions not related to topics under the jurisdiction of the School Committee as an individual member of the public.

CROSS REFS:

- BHE-~~SMA~~ – Social Media Policy

SOCIAL MEDIA POLICY AND PROCEDURE RESEARCH SUMMARY MEMO

The following background, quorum definition and deliberation definition and Massachusetts Division of Open Government (“Division”) determination summaries are meant to establish a baseline for communication around the Social Media Policy and Procedure of the Town of Reading. There are many reference and legal links and this memo is meant to be accompanied with PDFs from the Division’s determinations. Additionally, the memo concludes with correspondence with the Director of the Division of Open Government as a means of requesting and receiving clarification around Closed Facebook groups as many of the largest groups in Reading are Closed for various reasons.

Background

As outlined in many Division determinations, the Massachusetts Open Meeting Law¹ was enacted “to eliminate much of the secrecy surrounding deliberation and decisions on which public policy is based.” The Open Meeting Law requires that meetings of a public body be properly noticed and open to members of the public unless an executive session is convened. Massachusetts law defines a “meeting,” in relevant part, as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” The law defines “deliberation” as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” For the purposes of the Open Meeting Law, a “quorum” is a simple majority of the members of a public body.

Quorum of the School Committee of the Town of Reading

Pursuant to case law as established in *Gamache v. Town of Acushnet*, 14 Mass. App. Ct. 215, 219 (1982)² (noting that a Town bylaw established a board of appeals of five members, and a temporary vacancy did not alter that bylaw), the membership of the School Committee for the Town of Reading is set by the Town of Reading Home Rule Charter³ as:

There shall be a School Committee consisting of six (6) members elected for three (3) year terms so arranged that two (2) terms shall expire each year.

Further, since Open Meeting Law defines a quorum as:

a simple majority of the members of the public body, unless otherwise provided in a general or special law, executive order or other authorizing provision.

It is therefore determined that a quorum of the School Committee of the Town of Reading is four (4) members, no matter how many members are actually serving at the time.

Deliberation Definition and Clarification in Prior Division of Open Government Determinations

The full definition of deliberation per Open Meeting Law is:

*"Deliberation", an **oral or written communication** through any medium, including electronic mail, **between or among a quorum of a public body** on **any public business***

¹ <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleIII/Chapter30A/Section18>

² <http://masscases.com/cases/app/14/14massappct215.html>

³ https://www.readingma.gov/sites/readingma/files/file/file/2015-04-21_reading_home_rule_charter.pdf

***within its jurisdiction**; provided, however, that "deliberation" shall not include the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed.*

Deliberation has been clarified via a few Division of Open Government Determinations. First, as outlined OML 2013-29⁴ the Division of Open Government clearly states that electronic communication concerning matters within the jurisdiction of the Public Body to a quorum of that body is deliberation:

*We find that the Committee violated the Open Meeting Law **by sending electronic communications discussing public business within its jurisdiction to a quorum of the Committee.***

Second, as outlined in OML 2013-27⁵, the expression of an opinion on official matters under consideration by the Public Body to a quorum of that body is deemed to be deliberation even without response by other members of that body:

*... we find that **he expressed policy positions and opinions on official matters that were under active consideration by the Board.** Expression of an opinion on matters within the body's jurisdiction **to a quorum of a public body is a deliberation**, even if no other public body member responds.*

Further, on this topic, once again, in OML 2016-104⁶, we see that the expression of an opinion on matters within the jurisdiction of the Public Body qualify as deliberation with or without response from other members of the Public Body when those members saw the opinion:

Expression of an opinion on matters** within a body's jurisdiction to a quorum of a public body is a deliberation, **even if no other public body member responds.

Finally, in OML 2015-33⁷, the Division of Open Government clarified whether the violation was Individual or Public Body wide based on the response, or lack thereof, by other members of the Public Body:

*His e-mail specifically **endorses a position on a matter within the Commission's jurisdiction** This discussion should have taken place during an open meeting. See G.L. c. 30A, §§ 20(a)-(b), 21. Because **it does not appear that any member of the Commission responded to Mr. Schmidt's e-mail**, we find that this was an **individual** violation, rather than a violation by the **Commission as a whole.***

However, in all of the above cases, the communication was only between or among the quorum of the Public Body. If we refer once again to the OML 2013-27 determination, the Division of Open Government clearly stated that a post on a personal Facebook page about past business that was not

⁴ DETERMINATION – 9/3/2013 – OML 2013-29 – WEST NEWBURY COMMUNITY PRESERVATION COMMITTEE; Searchable via <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm>

⁵ DETERMINATION – 3/11/2013 – OML 2013-27 – SWANSEA BOARD OF SELECTMEN; Searchable via <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm>

⁶ DETERMINATION – 8/10/2016 – OML 2016-104 – PEMBROKE BOARD OF HEALTH; Searchable via <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm>

⁷ DETERMINATION – 3/11/2015 – OML 2015-33 – HARVARD PARKS AND RECREATION COMMISSION; Searchable via <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm>

directed at other members of the Public Body did not constitute deliberation since the post was not between or among a quorum of the Board:

*The July 28, 2012 posting to Chairman Ventura's individual Facebook page, however, did not constitute an improper deliberation under the Open Meeting Law **because he did not communicate between or among a quorum of the Board.***

Further, the Division of Open Government has made it clear that communication via Facebook is not in and of itself a violation of the Open Meeting Law. They made this clear in OML 2017-192⁸ when they said:

Where a quorum of the members of a public body are also members of a Facebook group, that is not in and of itself a violation of the Open Meeting Law.

*While the posts related to Committee business, we find no evidence that the posts involved communication **directed to a quorum** of the Committee, or that Committee members **responded** to the posts of other members.*

*Here, we find that the posts by individual Committee members were **directed to members of the public** with Arlington School Enrollment Parent Group Facebook accounts, **rather than specifically to a quorum of the Committee.***

They have also established a precedent that the intent of the communication matters when communicating via Facebook when they stated the following in OML 2017-111⁹:

*The Open Meeting Law does not restrict an individual's right to make comments to the general public. Rather, it restricts communication **between or among**¹⁰ **a quorum** of a public body outside of a meeting, indicating that the **communicator's intent must be examined**. Because Mr. Greene's post was **directed to members of the public with Facebook accounts, rather than specifically to the Board, and because no Board member responded to the post**, we find no violation. Additionally, even if a quorum of the Board had viewed the post, the link to the Town website could be considered the distribution of a document to be distributed in preparation for the Board's next meeting.*

Finally, in the most recent determination on this topic, the Division of Open Government made a few further clarifications and a warning about private Facebook groups. The determination in 2018-145¹¹ specifically allowed for the use of Social Media as a means of communicating with constituents but warned about communicating with other public body members.

⁸ DETERMINATION – 12/19/2017 – OML 2017-192 – ARLINGTON SCHOOL COMMITTEE; Searchable via <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm>

⁹ DETERMINATION – 7/6/2017 – OML 2017-111 – BROOKLINE BOARD OF SELECTMEN; Searchable via <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm>

¹⁰ Please note that “between or among” was italicized in the determination by the Division of Open Government.

¹¹ DETERMINATION – 11/5/2018 – OML 2018-145 – PROVINCETOWN SELECT BOARD; Searchable via <https://massago.onbaseonline.com/MASSAGO/1801PublicAccess2/oml.htm>

*Posting to a social media group, standing alone, **does not amount to communication between or among a quorum of a body** that must occur only in the context of a posted meeting.*

*Our office has advised public body members that, while **they may use social media to communicate with their constituents on matters of public concern**, those members should be cautious to **avoid communicating with other public body members via social media**.*

However, it then went on to warn about closed Facebook groups when it said:

*Where a social media group is closed to the public ... it raises concerns that conversations may be happening outside of public view. When comments are made on an individual public body member's social media account or on an open social media group, those comments are more likely to be targeted towards a general public. When **comments are made in a closed group, it is reasonably inferable that posts are directed solely at the members of that group, and, when a quorum of a public body belongs to a closed group, it becomes likely that posts and comments are targeted towards the other public body members.***

While the closed group at issue certainly had a large number of members, it is nonetheless closed to the public, as an administrator's approval is required before individuals may view the posts.

As a follow up on that ruling, I requested clarification from the Division of Open Government myself. In doing so, I asked the following line of questions:

I am asking the following question as I am trying to put together a Policy, which will be reviewed with our legal counsel, for the School Committee of the Town of Reading. However, within Reading, the majority of our popular Facebook groups are indeed closed with the intent of keeping out "drive by" posts, "advertising" posts or to protect the privacy of its members. If I look at our most popular Facebook groups, I see the following approximate number of members:

1. Reading Parents Network / Reading Community Network - ~5,400 members
2. The Reading Rant - ~3,300 members
3. Parents Concerned about Curriculum - 933 members
4. Residents Supporting Reading Public Schools - 921 members
5. Reading Friends and Family - 345 members
6. Reading Special Education Parent Network** - 241 members

** This is the one that is closed to protect the privacy of the membership.

In OML Determination 2018-145, the Division of Open Government stated the following:

Where a social media group is closed to the public ... it raises concerns that conversations may be happening outside of public view. When comments are made on an individual public body member's social media account or on

an open social media group, those comments are more likely to be targeted towards a general public. When comments are made in a closed group, it is reasonably inferable that posts are directed solely at the members of that group, and, when a quorum of a public body belongs to a closed group, it becomes likely that posts and comments are targeted towards the other public body members.

My question here centers around the size of a closed group. I could envision this being a problem for a closed group that is relatively small. However, for groups of 500, 1000, 5000, etc. I wonder if this concern still holds true or if we can fall back to the "intent" that was mentioned in other Determinations. In particular, in Determination 2017-111, the Division of Open Government stated:

The Open Meeting Law does not restrict an individual's right to make comments to the general public. Rather, it restricts communication between or among a quorum of a public body outside of a meeting, indicating that the communicator's intent must be examined.

So, my question is - is there potentially a threshold of percentage of participants or something that could be used as a guideline for closed groups on Facebook. If I look at the above list, it would seem reasonable to me that sharing information in the first four groups with the intent of communicating to the public, not to my fellow committee members, would not lead me afoul of the overall intent of the Open Meeting Law. I understand opinions or policy positions probably shouldn't be shared but answering questions or providing links to information seems to be acceptable.

The answer that I received came from the Director of the Division of Open Government, Carrie Benedon, and she wrote:

I would not say that the precise number of members of the facebook group is a determinative factor, nor can I establish a threshold number that is big enough or not. Rather, as you note, we focus on the intent of the speaker, and we look at the circumstances of the communication. We would likely agree with you that, as you state below, providing general information to 1000 or so members of the public is not a communication directed at a public body member. That may be true even within a much smaller group, especially if the group, though technically closed, is open to everyone who seeks to join it. We advise caution, however, that members of the public body do not end up engaging with each other, using the facebook group as a vehicle. For example, if you post something in a facebook group, directed to the 5000 members, but then a fellow school committee responds and even though that other person is technically speaking to the 5000 members, they are actually responding to you, that could be problematic.

The response above points to potential problems if multiple members respond. In looking through the rest of their Determinations, this becomes a question of quorum. In the case of the School Committee for the Town Reading, having two members responding does not risk quorum and thus should be viewed as reasonable safe.

LEGAL REFS:

- Open Meeting Law and Regulations: [MGL 30A:18](#); [940 CMR 29](#)
- Division of Open Government Determinations:
 - OML 2013-27 [Swansea Board of Selectman];
 - OML 2013-29 [West Newbury Community Preservation Committee];
 - OML 2015-33 [Harvard Parks and Recreation Commission];
 - OML 2016-104 [Pembroke Board of Health];
 - OML 2017-111 [Brookline Board of Selectman];
 - OML 2017-192 [Arlington School Committee];
 - OML 2018-145 [Provincetown Select Board];
- [Town of Reading Home Rule Charter](#)

USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to electronic mail (e-mail), [text messages](#), [social media postings](#), internet web forums, and internet chat rooms. School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including but not limited to the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

~~School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.~~

Under the Public Records Law electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, members will use their Reading Public Schools email address for Committee correspondence as these emails are maintained on the Reading Public Schools email server in accordance with the Commonwealth of Massachusetts' retention schedule for public records. ~~The Chair of the Committee shall ensure that the Superintendent of Schools or his/her designee shall be copied on all electronic correspondence between and among members of the School Committee. copies of email correspondence These copies by the Committee shall be printed and retained in the central office in the same fashion as any other School Committee records. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.~~

Adopted by the Reading School Committee on March 26, 2007
Revised by Reading School Committee on _____

LEGAL REFS.: M.G.L 4:7; [30A:18-2539:23A, 23B](#); 66:10

USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including but not limited to electronic mail (e-mail), text messages, social media postings, internet web forums, and internet chat rooms. School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including but not limited to the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

Under the Public Records Law electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, members will use their Reading Public Schools email address for Committee correspondence as these emails are maintained on the Reading Public Schools email server in accordance with the Commonwealth of Massachusetts' retention schedule for public records.

Adopted by the Reading School Committee on March 26, 2007
Revised by Reading School Committee on _____

LEGAL REFS.: M.G.L 4:7; 30A:18-25; 66:10

USE OF SOCIAL MEDIA BY SCHOOL COMMITTEE MEMBERS~~SOCIAL MEDIA POLICY~~

While the School Committee believes that communication via Open Meetings, inclusive of the Public Comment period as outlined in Policy BEDH, is the most effective means of giving and receiving feedback, it acknowledges many members of the public engage in communication via various Social Media platforms. As such, to align with the Goals outlined in Policy KA, the School Committee endeavors to engage in “effective, accurate, and meaningful communications that facilitate dialogue, encourage involvement in District programs, and create community advocacy for its public schools” via Social Media platforms.

The Committee ~~also~~ notes that all communication by members of the Committee will be in accordance with the Open Meeting Law and will avoid any communication via Social Media that can be considered ~~or have the appearance of deliberation under the Open Meeting Law~~ “deliberation” under the Open Meeting Law ~~or have the appearance of deliberation~~. All communication via Social Media will be conducted in accordance with this policy and the underlying ~~School Committee~~ district’s procedures.

Policy Specific Definitions

~~Social Media — forms of electronic communication (such as websites for social networking and microblogging) through which users create online communities to share information, ideas, personal messages, and other content (such as videos).¹ Examples include, but are not limited to Facebook, Twitter, Instagram, Reddit, LinkedIn and interactive Blogs.~~

~~Blog — a website that contains online personal reflections, comments, and often hyperlinks, videos, and photographs provided by the writer.²~~

CROSS REFS:

- BEDH – Public Comment at School Committee Meetings
- BHE – Use of Electronic Messaging by School Committee Members
- KA – School/Community Relations Goals

LEGAL REFS:

- Open Meeting Law and Regulations: MGL 30A:18; 940 CMR 29³

¹ <https://www.merriam-webster.com/dictionary/social%20media>

² <https://www.merriam-webster.com/dictionary/blog>

³ <https://www.mass.gov/regulations/940-CMR-2900-open-meetings>

USE OF SOCIAL MEDIA BY SCHOOL COMMITTEE MEMBERS

While the School Committee believes that communication via Open Meetings, inclusive of the Public Comment period as outlined in Policy BEDH, is the most effective means of giving and receiving feedback, it acknowledges many members of the public engage in communication via various Social Media platforms. As such, to align with the Goals outlined in Policy KA, the School Committee endeavors to engage in “effective, accurate, and meaningful communications that facilitate dialogue, encourage involvement in District programs, and create community advocacy for its public schools” via Social Media platforms.

The Committee notes that all communication by members of the Committee will be in accordance with the Open Meeting Law and will avoid any communication via Social Media that can be considered or have the appearance of deliberation under the Open Meeting Law. All communication via Social Media will be conducted in accordance with this policy and the underlying School Committee’s procedures.

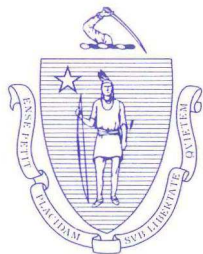
CROSS REFS:

- BEDH – Public Comment at School Committee Meetings
- BHE – Use of Electronic Messaging by School Committee Members
- KA – School/Community Relations Goals

LEGAL REFS:

- Open Meeting Law and Regulations: MGL 30A:18; 940 CMR 29¹

¹ <https://www.mass.gov/regulations/940-CMR-2900-open-meetings>



MAURA HEALEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

December 19, 2017

OML 2017 – 192

Douglas W. Heim, Esq.
Arlington Town Counsel
50 Pleasant Street
Arlington, MA 02476

RE: Open Meeting Law Complaint

Dear Attorney Heim:

This office received a complaint from Stephen Harrington on March 15 alleging that the Arlington School Committee (the “Committee”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25.¹ The complaint was originally filed with the Committee on February 10; and you responded, on behalf of the Committee, by letter dated March 9, following an extension of time granted by our office. The complaint alleges that a quorum of the Committee deliberated outside of a meeting via Facebook.

We appreciate the patience of the parties while we reviewed this matter. Following our review, we find no evidence that the Committee violated the Open Meeting Law by deliberating via Facebook. In reaching this determination, we reviewed the original complaint, the Committee’s response to the complaint, and the complaint filed with our office requesting further review. We also reviewed open session minutes from Committee meetings held between January and September 2016, as well as Facebook posts provided to us by the complainant. Finally, we spoke with you by telephone on March 17, and with the complainant by telephone on December 12.

FACTS

We find the facts as follows. The Committee is a seven-member public body; thus four members constitute a quorum. A quorum of the Committee are members of two groups on Facebook – Arlington School Enrollment Parent Group and Arlington Resist.

The Arlington School Enrollment Parent Group was formed in November 2015 by Arlington parents to inform the community of the challenges posed by the growing student

¹ Unless otherwise indicated, all dates in this letter refer to the year 2017.



enrollment and to advocate for sensible solutions to address them. Membership in this Facebook group consists of more than 1,300 members, including five members of the Committee. This Facebook group is open to the public.

Arlington Resist was formed in February 2017 by a group of concerned citizens who come together to exchange information and ideas, and to turn their dissatisfaction with the federal government into informed action. Membership in this Facebook group consists of more than 250 members, including four members of the Committee. The four Committee members were invited to join Arlington Resist; this Facebook group is not open to the public and is for members only.

Committee members Jennifer Susse, Kirsy Allison-Ampe, and Paul Schlichtman have posted comments pertaining to school enrollment issues and renovation of Arlington schools on the Arlington School Enrollment Parent Group Facebook page. We find no evidence that any member of the Committee posted comments about topics related to Committee business to the Arlington Resist Facebook page.

DISCUSSION

The Open Meeting Law was enacted “to eliminate much of the secrecy surrounding deliberation and decisions on which public policy is based.” Ghiglione v. School Board of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law requires that meetings of a public body be properly noticed and open to members of the public, unless an executive session is convened. See G.L. c. 30A, §§ 20(a)-(b), 21. A “meeting” is defined, in relevant part, as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” G.L. c. 30A, § 18. The law defines “deliberation” as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction; provided, however, that ‘deliberation’ shall not include the distribution of other procedural meeting [sic] or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed.” Id. For the purposes of the Open Meeting Law, a “quorum” is a simple majority of the members of a public body. Id.

The complaint alleges that a quorum of the Committee are members of Facebook groups “that discusses school committee business.” We find no evidence that a quorum of the Committee violated the Open Meeting Law by deliberating via Facebook. Where a quorum of the members of a public body are also members of a Facebook group, that is not in and of itself a violation of the Open Meeting Law. However, if a member of the Committee were to communicate directly with a quorum of the Committee over social media platforms such as Facebook, such communication may violate the Open Meeting Law. We find no evidence that Committee members communicated with a quorum of the Committee on the Arlington Resist Facebook page. However, individual Committee members posted comments pertaining to school enrollment issues and renovation of certain Arlington schools to the Arlington School Enrollment Parent Group Facebook page. While the posts related to Committee business, we find no evidence that the posts involved communication directed to a quorum of the Committee, or that Committee members responded to the posts of other members. The Open Meeting Law does not restrict an individual’s right to make comments to the general public. See OML 2017-

111.² Here, we find that the posts by individual Committee members were directed to members of the public with Arlington School Enrollment Parent Group Facebook accounts, rather than specifically to a quorum of the Committee. See OML 2017-111; 2015-15 (Open Meeting law restricts communication between or among a quorum of a public body outside of a meeting, indicating that the communicator's intent must be examined).

The complainant suggests that there are other numerous communications and posts by and between Committee members on the Arlington School Enrollment Parent Group Facebook page, and likely on the closed Arlington Resist Facebook page that should be investigated. We do not conduct broad audits of a public body and thus limit our review to the evidence presented to us in the complaint. Nevertheless, members of public bodies must be careful not to engage in deliberation with other members of the same public body over social media platforms. Recognizing that it may be difficult to determine whether communication constitutes deliberation under the Open Meeting Law, our office cautions public bodies on the use of Facebook and other social media. See AGO FAQ on Deliberation and Electronic Communication.³

CONCLUSION

For the reasons stated above, we find no evidence that the Committee violated the Open Meeting Law by deliberating outside of a meeting. We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Committee. Please feel free to contact our office at (617) 963-2540 if you have any questions regarding this letter.

Sincerely,



KerryAnne Kilcoyne
Assistant Attorney General
Division of Open Government

cc: Stephen Harrington
Arlington School Committee

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.

² Open Meeting Law determinations may be found at the Attorney General's website, www.mass.gov/ago/openmeeting.

³ Available at <http://www.mass.gov/ago/government-resources/open-meeting-law/oml-faqs/>.



MAURA HEALEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

TEL: (617) 727-2200
www.mass.gov/ago

November 5, 2018

OML 2018 – 145

Michele E. Randazzo, Esq.
KP Law, P.C.
101 Arch Street
Boston, MA 02110

RE: Open Meeting Law Complaint

Dear Attorney Randazzo:

This office received a complaint from Michael LaChapelle, dated September 21, alleging that the Provincetown Board of Selectmen (the “Board”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25.¹ The complaint was originally filed with the Board on June 26, and the Committee responded by letter dated July 12. In his complaint, Mr. LaChapelle alleges that a quorum of the Board deliberated outside of a noticed meeting through a private online social media group.

Following our review, we find that the Board did not violate the Open Meeting Law. However, we caution the Board that the use of a closed social media group by a quorum of its members raises significant concerns, and we advise against this practice. In reaching a determination, we reviewed the original complaint, the Board’s response, and the request for further review filed with our office. We also reviewed several undated screenshots of postings allegedly made in the closed Facebook group at issue. We also reviewed the notice and minutes of a Board meeting held on June 25. We reviewed supplementary e-mails from the Board’s legal counsel dated July 2 and August 20. Finally, we spoke with the complainant by telephone on October 25.

FACTS

We find the facts as follows. The Board is a five-member public body, thus three members constitute a quorum. Current Board member Lise King was elected to the Board on May 1. At all times relevant to this complaint, three Board members—Louise Venden, Cheryl Andrews, and Ms. King—were members of a closed Facebook group called the “Provincetown

¹ Unless otherwise indicated, all dates in this letter refer to the year 2018.



Women's Collective." While membership in this Facebook group is restricted, it has over 950 members. Those seeking to join this group must be approved by an administrator.

The dispute that underlies this complaint concerns the potential establishment of a human rights commission in Provincetown. During a Board meeting held on June 25, Ms. King introduced a proposal to create a human rights commission, and Board member Robert Anthony disagreed, stating that such a commission was unnecessary. At some point following the June 25 meeting, Ms. King posted the following message to the "Provincetown Women's Collective" group:

I was surprised (and not in a good way) I have to say, that Bobby Anthony was adamantly opposed, from the position of being the former police chief. In these times, especially, to insist that law enforcement is the arbiter and provider of civil/human rights protections and education, is short sighted at best.

It is not clear whether the other two Board members who were members of the Facebook group (Ms. Venden and Ms. Andrews) read or replied to this comment. The complainant subsequently provided our office with screenshots of two other comments made in the closed Facebook group by Ms. King. They read as follows:

I'm re-posting the Human Rights Commission post for the record. The original post asked if anyone wanted to come support the article on the agenda last Monday night to create a Provincetown Human Rights Commission, to come make a statement during the public comment period. (I don't have a screenshot of that original post[.]) Here is the comment section, including my note about Bobby Anthony's reaction to my proposal.

The article got pushed to the very end of the night... like 10:50 P.M. We had a short discussion/debate, and then it got continued until next month. The Board asked me to provide more specifics about how to convene the advisory board I proposed to create the commission. Thank you to supporters...

Shortly after the present complaint was filed, Ms. Andrews left the closed group.

DISCUSSION

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding deliberation and decisions on which public policy is based." Ghiglione v. School Board of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law requires that meetings of a public body be properly noticed and open to members of the public, unless an executive session is convened. See G.L. c. 30A, §§ 20(a)-(b), 21. A "meeting" is defined, in relevant part, as "a deliberation by a public body with respect to any matter within the body's jurisdiction." G.L. c. 30A, § 18. The law defines "deliberation" as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction." Id. For the purposes of the Open Meeting Law, a "quorum" is a simple majority of the members of a public body. Id.

Here, the complaint alleges that a quorum of the Board improperly deliberated via the closed Facebook group. Because the question of establishing a human rights commission was before the Board for a vote, it is clear that the matter is one within the Board's jurisdiction. It is

also clear that Ms. King wrote posts concerning the human rights commission and posted them to the closed group. Our office has advised public body members that, while they may use social media to communicate with their constituents on matters of public concern, those members should be cautious to avoid communicating with other public body members via social media.² We find no evidence that Ms. Venden or Ms. Andrews commented on Ms. King's posts, and, indeed, it is not clear whether the other members even read what Ms. King wrote in the closed group. Posting to a social media group, standing alone, does not amount to communication between or among a quorum of a body that must occur only in the context of a posted meeting. See OML 2017-192.³ We also note that the period during which a quorum of the Board were members of the closed group was quite brief. Ms. King became a Board member on May 1, so any communications prior to that date would not constitute deliberation; Ms. Andrews left the closed group shortly after the present complaint was filed on June 26. Given the lack of evidence showing deliberation between or among a quorum of the Board, and the brief time period when a quorum belonged to the closed Facebook group, we find no violation of the Open Meeting Law.

Nonetheless, we remind the Board that social media may not be used to facilitate discussion between or among a quorum of its members. Where a social media group is closed to the public—as the Provincetown Women's Collective group was in this case—it raises concerns that conversations may be happening outside of public view. When comments are made on an individual public body member's social media account or on an open social media group, those comments are more likely to be targeted towards a general public. When comments are made in a closed group, it is reasonably inferable that posts are directed solely at the members of that group, and, when a quorum of a public body belongs to a closed group, it becomes likely that posts and comments are targeted towards the other public body members. See OML 2017-111 (in determining whether improper deliberation took place, a communicator's intended audience must be examined). While the closed group at issue certainly had a large number of members, it is nonetheless closed to the public, as an administrator's approval is required before individuals may view the posts. We commend Ms. Andrews' removal of herself from the group once this issue was raised.

CONCLUSION

For the reasons stated above, we find that the Board did not violate the Open Meeting Law. We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Board. Please feel free to contact the Division at (617) 963 - 2540 if you have any questions.

² The Attorney General's "Frequently Asked Questions" on the Open Meeting Law may be found here: <https://www.mass.gov/service-details/frequently-asked-questions-about-the-open-meeting-law-public-bodies-quorum-and>.

³ Open Meeting Law determinations may be found at the Attorney General's website: www.mass.gov/ago/openmeeting.

Sincerely,



Kevin W. Manganaro
Assistant Attorney General
Division of Open Government

cc: Michael LaChapelle
Provincetown Board of Selectmen

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.



MAURA HEALEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

TEL: (617) 727-2200
www.mass.gov/ago

August 10, 2016

OML 2016 – 104

Carolyn M. Murray, Esq.
KP Law
101 Arch Street
Boston, MA 02110

RE: Open Meeting Law Complaint

Dear Attorney Murray:

This office received a complaint from Carol Mirotta, dated July 18, alleging that the Pembroke Board of Health (the “Board”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25.¹ The complaint was originally filed with the Board on May 31, and the Board responded by letter dated June 14. In her complaint, Ms. Mirotta alleges that members of the Board violated the Open Meeting Law by deliberating by e-mail outside of an open meeting.

Following our review, we find that Board member Gail McSweeney individually violated the Open Meeting Law. In reaching a determination, we reviewed the original complaint, the Board’s response, and the request for further review filed with our office. We also reviewed a copy of the May 18 e-mail correspondence between Chair Donna Bagni and Board member Gail McSweeney.

FACTS

We find the facts as follows. The Board is a three-member public body that includes Chair Donna Bagni and Board member Gail McSweeney. The Board also has a staff that includes the Town’s Health Agent, Lisa Cullity, and the Board’s Secretary, who is the complainant in this matter. Neither is a member of the Board. The Board planned a meeting to be held on May 16. Prior to this meeting, Ms. Mirotta submitted a letter to the Board dated May 16, which requested that Ms. McSweeney only communicate with her by e-mail or through Chair Bagni, and only when necessary. Ms. Mirotta further requested that the Board not provide Ms. McSweeney with Ms. Mirotta’s private e-mail address or telephone number and that the Board members not text or e-mail Ms. Mirotta as part of a group message.

¹ Unless otherwise indicated, all dates in this letter refer to the year 2016.



The Board held the May 16 meeting as planned. During the meeting, Chair Bagni read Ms. Mirotta's letter. The Board agreed to honor Ms. Mirotta's communication request, and Ms. McSweeney offered no comments on the request at that time. On May 18, Ms. McSweeney e-mailed Chair Bagni to ask her whether she "plan[ned] to allow [Ms. Mirotta's request] to stand." Chair Bagni responded that she was "very uneasy discussing any topic that occurred during a public meeting because of the Open Meeting Law," and she noted that any questions or concerns "must be done during a scheduled meeting." Chair Bagni then stated that she "would be more than happy to put it on the next meeting agenda for discussion," but that if Ms. McSweeney did not wish to schedule discussion on the topic for the next Board meeting, then she planned to honor Ms. Mirotta's request. Chair Bagni then stated that she did "not understand why there is any reason that [Ms. McSweeney] need[s] direct involvement with the secretary," and ended the letter by telling Ms. McSweeney that all correspondence with or requests to Ms. Mirotta should be made through Chair Bagni.²

DISCUSSION

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based." Ghiglione v. School Committee of Southbridge, 376 Mass. 70, 72 (1978). Thus, the law requires that meetings of a public body be properly noticed and open to members of the public, unless an executive session is convened. See G.L. c. 30A, §§ 20(a)-(b), 21. The Open Meeting Law defines a "meeting" as "a deliberation by a public body with respect to any matter within the body's jurisdiction." Id. at § 18. Deliberation is defined, in relevant part, as "an oral or written communication through any medium, *including electronic mail*, between or among a quorum of a public body on any public business within its jurisdiction." Id. (emphasis added). However, deliberation does not include "the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting [material] . . . *provided that no opinion of a member is expressed.*" Id. (emphasis added). For the purposes of the Open Meeting Law, a quorum is generally a simple majority of the members of the public body. Id.

Here, we find that the May 18 e-mail sent by Ms. McSweeney to the Chair violated the Open Meeting Law. Because the Board is a three-member body, two members constitute a quorum, and thus the March 16 e-mail between Ms. McSweeney and Chair Bagni constituted a communication between a quorum of the public body. In her e-mail, Ms. McSweeney inquired about the status of Ms. Mirotta's request, a topic that the Board had previously discussed at a meeting where Ms. McSweeney had the opportunity to offer comments. The status of Ms. Mirotta's communication request was a topic squarely within the Board's jurisdiction, and thus the topic was inappropriate for discussion outside of a properly noticed public meeting. See G.L. c. 30A, §§ 18, 20(a)-(b), 21; OML 2015-33.³ Expression of an opinion on matters within a

² We note that this arrangement may raise an Open Meeting Law issue. Because the Board is a three-member body, two members constitute a quorum. Therefore, if Ms. McSweeney communicates through Chair Bagni to relay Board business to Ms. Mirotta, this communication may constitute deliberation on a matter within the Board's jurisdiction, and thus constitute a meeting for purposes of the Open Meeting Law. If this communication between Ms. McSweeney and Chair Bagni were not properly noticed and open to the public, then it would violate the Open Meeting Law. See G.L. c. 30A, § 20(a)-(b). We recommend that the Board consider an alternative arrangement for such communications between Ms. McSweeney and Ms. Mirotta.

³ Open Meeting Law determinations may be found at the Attorney General's website, www.mass.gov/ago/openmeeting.

body's jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds. See OML 2015-33; OML 2013-29; OML 2013-27. Accordingly, we find that Ms. McSweeney violated the Open Meeting Law by communicating with Chair Bagni by e-mail on May 18.⁴

We note that the Board has since discussed at an open meeting the best practices and procedures for communicating with each other and with staff, and that the Town has distributed copies of the Open Meeting Law guide to all Board members and staff. Furthermore, the members of the Board plan to participate in an Open Meeting Law training, which we encourage. We commend the Board for proactively addressing this violation.

CONCLUSION

For the reasons stated above, we find that Board member Gail McSweeney individually violated the Open Meeting Law. We order immediate and future compliance with the Open Meeting Law, and we caution that similar future violations may be considered evidence of intent to violate the law. We also order that the Board release to the public, within 30 days following receipt of this letter, Ms. McSweeney's May 18 e-mail to Chair Bagni.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Board. Please feel free to contact the Division at (617) 963-2540 if you have any questions.

Sincerely,

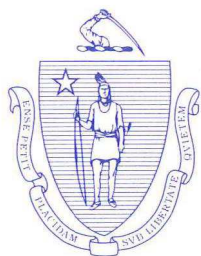


Kevin W. Manganaro
Assistant Attorney General
Division of Open Government

cc: Carol Mirotta
Pembroke Board of Health

⁴ We note that Chair Bagni's response e-mail may also have violated the Open Meeting Law. Had Chair Bagni's May 18 e-mail simply inquired whether Ms. McSweeney wanted to schedule discussion of Ms. Mirotta's request for the next Board meeting and nothing more, it would not meet the definition of "deliberation." See G.L. c. 30A, § 18 ("deliberation" shall not include "the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting [material] . . . *provided that no opinion of a member is expressed*") (emphasis added). Chair Bagni's e-mail response may have gone beyond this exception, however, when she expressed her opinion that there was no reason for Ms. McSweeney to have direct communication with Ms. Mirotta. See OML 2016-31. However, we commend Chair Bagni for recognizing that the e-mail communication sent to her was inappropriate under the Open Meeting Law and that any discussion on Ms. Mirotta's request should take place in a properly noticed meeting.

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.



MAURA HEALEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

July 6, 2017

OML 2017 – 111

Joslin Murphy
Brookline Town Counsel
333 Washington Street
Brookline, MA 02445

RE: Open Meeting Law Complaint

Dear Attorney Murphy:

This office received a complaint from Brooks Ames on May 22, alleging that the Brookline Board of Selectmen (the “Board”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25.¹ The complaint was originally filed with the Board on or about April 18, and you responded, on behalf of the Board, by letter dated May 5. In his complaint, Mr. Ames alleges that the Board created a subcommittee that did not comply with the Open Meeting Law. Additionally, Mr. Ames alleges that, based on comments posted on a Board’s member’s personal Facebook page, the Board deliberated outside of a meeting.

Following our review, we find that the Board did not violate the Open Meeting Law. In reaching a determination, we reviewed the original complaint, the Board’s response to the complaint, and the complaint filed with our office requesting further review. We also reviewed the notice, minutes and video-recording of the Board’s March 7 meeting, as well as the Facebook post at issue.

FACTS

We find the facts as follows. The Board is a five-member public body, thus three members constitute a quorum. In the fall 2016, the Board began reviewing the Town’s policies pertaining to immigrants and refugees, in particular, a 2012 Special Order of the Brookline Police Department concerning Immigration and Customs Enforcement (“ICE”) detainers. In January 2017, the Board voted to refer the matter to the Town’s Commission for Diversity, Inclusion and Community Relations (the “Diversity Commission”) for

¹ All dates refer to the year 2017, unless otherwise indicated.



review and a recommendation to the Board. The Diversity Commission provided written proposed policies to the Board on February 15.

On March 7, the Board held a public hearing regarding those proposed policies. At the conclusion of the hearing, the Board chair then suggested that the Board approve certain portions of the draft proposal, but leave open the possibility of revising other sections based on the public comment received that evening. The chair suggested that the draft be sent back to the Diversity Commission to incorporate the public's comments. Noting that no member of the Diversity Commission was at the meeting, the chair asked whether a Board member would "lead the effort" to complete the task. Board member Nancy Daly suggested that Board member Bernard Greene lead the effort. Then, as another Board member spoke, Ms. Daly turned to Mr. Greene and offered to help him. While the Board did not formally appoint Mr. Greene to undertake the revision project, the chair addressed him when the chair stated that some sections of the document remained unapproved pending further revision and consideration.

Following this meeting, Ms. Daly and Mr. Greene, along with the Police Chief and a member of the Diversity Commission, Tony Naro, worked to finalize the document for the Board's review at its April 18 meeting. Ms. Daly emailed her suggested edits to Mr. Greene, who then made his own changes to the draft, which he may have emailed back to Ms. Daly. On April 14, Mr. Greene published a link to the draft, via the Town's website, on his Facebook page with the following comments: "Proposed policies prepared by Selectmen Daly and me with the support of Tony Naro and Chief O'Leary. Comments/critiques are welcome." Any person with a Facebook account can access this post. Two other Board members are "friends" with Mr. Greene on Facebook.

DISCUSSION

I. The Board Did Not Create a Subcommittee Subject to the Open Meeting Law.

The Open Meeting Law applies only to a public body, which is defined, in relevant part, as "a multiple member board, commission, committee or subcommittee within the executive or legislative branch or within any county, district, city, region or town, however created, elected, appointed or otherwise constituted, established to serve a public purpose[.]" G.L. c. 30A, § 18. A "subcommittee" is defined as a multiple-member body created to advise or make recommendations to a public body. G.L. c. 30A, § 18.

The complaint alleges that the Board created a subcommittee, consisting of Mr. Greene and Ms. Daly, tasked with revising the Town's draft policies pertaining to immigrants and refugees. We find that the Board did not create a subcommittee during its March 7 meeting. Our analysis hinges on the Board's action and whether it intended to

create a multiple-member body. See OML 2016-59; OML 2014-63.² We find that the Board sought a single volunteer to work on the draft. Ms. Daly nominated Mr. Greene. The Board took no vote, but proceeded with an understanding that Mr. Greene would review the draft. During further discussion, Ms. Daly turned to Mr. Greene and offered to assist him. Had the Board formally appointed the two to collectively revise the draft policies, it would have created a subcommittee. However, we find that Ms. Daly, on her own initiative, offered to assist Mr. Greene in carrying out the task. This does not create a subcommittee. See OML 2016-106. Accordingly, we find that the Board did not violate the Open Meeting Law.

II. The Board Did Not Improperly Deliberate Via Facebook.

The Open Meeting Law requires that all deliberation occur during a properly noticed meeting. See G.L. c. 30A, § 18. The law defines “deliberation” as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction[.]” Id.; see also OML 2016-104 (even the expression of an opinion of one public body member on matters within a public body's jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds).

The complaint alleges that a quorum of the Board improperly communicated via Facebook when Mr. Greene posted a link on his public Facebook page to the draft policy revisions published on the Town website and invited comments or critiques regarding the draft. No Board members responded to the post. The Open Meeting Law does not restrict an individual's right to make comments to the general public. Rather, it restricts communication *between or among* a quorum of a public body outside of a meeting, indicating that the communicator's intent must be examined. Because Mr. Greene's post was directed to members of the public with Facebook accounts, rather than specifically to the Board, and because no Board member responded to the post, we find no violation. Additionally, even if a quorum of the Board had viewed the post, the link to the Town website could be considered the distribution of a document to be distributed in preparation for the Board's next meeting. See G.L. c. 30A, § 18 (“deliberation” shall not include the distribution of other procedural meeting [sic] or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed”).

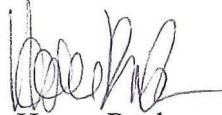
CONCLUSION

For the reasons stated above, we find that the Board did not violate the Open Meeting Law. We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Board. Please feel free to contact our office at (617) 963-2540 if you

² Open Meeting Law determinations may be found at the Attorney General's website, www.mass.gov/ago/openmeeting.

have any questions regarding this letter.

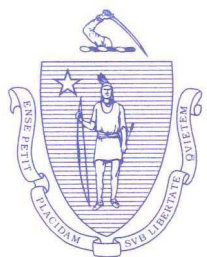
Sincerely,

A handwritten signature in black ink, appearing to read 'Hanne Rush', written over a horizontal line.

Hanne Rush
Assistant Attorney General
Division of Open Government

cc: Brooks Ames, Esq.
Brookline Board of Selectmen

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MAURA HEALEY
ATTORNEY GENERAL

TEL: (617) 727-2200
www.mass.gov/ago

March 11, 2015

OML 2015 – 33

Wynona Lynch-McWhite, Chairperson
Harvard Parks and Recreation Commission
13 Ayer Road
Harvard, MA 01451

RE: Open Meeting Law Complaint

Dear Chair Lynch-McWhite:

This office received a complaint from Deborah Skauen-Hinchliffe, dated December 16, 2014, alleging that the Harvard Parks and Recreation Commission (the "Commission") violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaint was originally filed with the Commission on October 6, 2014, and the Commission responded to the original complaint by letter dated November 17, 2014. In her complaint, Ms. Skauen-Hinchliffe alleges that the Commission (i) held a meeting without posting notice 48 hours in advance; (ii) failed to list an anticipated discussion item on a meeting agenda; and (iii) deliberated by e-mail outside of an open meeting.

Following our review, we find that one e-mail sent by Commission member Joseph Schmidt violated the Open Meeting Law. However, we decline to review the other allegations contained in the complaint, as they are untimely. In reaching a determination, we reviewed the original complaint; the Commission's response; and the request for further review filed with our office. Additionally, we reviewed several e-mails sent by Commission members during the time period between May 2014 and July 2014. Finally, we reviewed minutes of a meeting of the Commission held on July 7, 2014, and draft minutes of a meeting of the Commission held on June 2, 2014.

FACTS

We find the facts as follows. The Commission is a five-member public body that meets at regular intervals to discuss and act on matters relevant to the administration and maintenance of parks with the Town of Harvard ("the Town"). Of significance, the Commission engaged in discussion concerning the Bare Hill Rowing Association ("the BHRA"), a private club that has an arrangement with the Town permitting its use of a beach and a pond located in the Town.

On May 22, 2014, Commission member Joseph Schmidt sent an e-mail to the other members of the Commission. It reads, "Something to consider. The reason [BHRA] was given storage space at the Pond for the summer was to offer programs to Harvard residents on the pond why are allowing them space on the pond during our busy season. [sic] We could use the space for the over 40 requests for kayak[s] and canoes that we cannot honor. I do not consider a competitive rowing program for team members only an enhancement for Harvard residents. Remember we represent all Town residents." It does not appear that any Commission members responded to this e-mail.

On June 1, 2014, Chair Lynch-McWhite sent an e-mail to the other Commission members and to the Town Clerk containing the agenda for a meeting to be held the following night, June 2, 2014. The Town Clerk responded by e-mail on June 2, 2014, stating that meetings must be posted 48 hours in advance, and that the Commission should reschedule the meeting for a date when more notice could be given. The members discussed rescheduling the meeting via email, but were unable to find a mutually agreeable time to meet. On the morning of June 2, 2014, Chair Lynch-McWhite sent an e-mail to the other Commission members stating, in part, "Our meeting is posted as being tonight so let's plan on getting together- those that can make it." The Commission held an open session meeting on June 2, 2014.

On July 7, 2014, the Commission held a meeting during which it discussed matters related to the BHRA. The agenda for the July 7, 2014 meeting did not list the BHRA as an anticipated topic of discussion.

On July 20, 2014, a person associated with the BHRA sent an e-mail to Chair Lynch-McWhite. This e-mail contained an attachment outlining proposed changes to the BHRA's contract with the Commission. Chair Lynch-McWhite forwarded the e-mail to the other members of the Commission, stating only, "Here is an electronic version of the proposed changes and the original message from [the sender]." It appears that no Commission members responded to this e-mail.

DISCUSSION

I. The Complaint's Allegations Regarding the June 2, 2014 and July 7, 2014 Meetings are Untimely.

The Open Meeting Law states that all complaints must be filed within 30 days of the alleged violation. G.L. c. 30A, § 23(b). If the alleged violation could not reasonably have been discovered at the time it occurred, the complaint must be filed with the public body within 30 days of when it reasonably could have been discovered. 940 CMR 29.05(3).

The Commission's June 2, 2014 and July 7, 2014 meetings took place entirely in open session. To be timely, therefore, the complaint concerning the notice for these meetings should have been brought within 30 days of each meeting. Because the allegations at issue here were brought after that time, we decline to review them. See OML 2014-85; OML 2012-52. However, we take this opportunity to remind the Commission of its obligations under the Open Meeting Law. Notice of every meeting must be posted "at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays," and every notice shall include "the date, time

and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting.” G.L. c. 30A, § 20(b); OML 2011-34.

II. A Member of the Commission Violated the Open Meeting Law by Deliberating via E-mail, Outside of an Open Meeting.

The Open Meeting Law was enacted “to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based.” Ghiglione v. School Committee of Southbridge, 376 Mass. 70, 72 (1978). Thus, the law requires that meetings of a public body be properly noticed and open to members of the public, unless an executive session is convened. See G.L. c. 30A, §§ 20(a)(b), 21. The Open Meeting Law defines a “meeting” as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” G.L. c. 30A, § 18. Deliberation is defined, in relevant part, as “an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction.” Id. However, deliberation does not include “the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed.” Id. For the purposes of the Open Meeting Law, a quorum is generally a simple majority of the members of the public body. Id. Expression of an opinion on matters within a body’s jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds. See OML 2014-148; OML 2013-29; OML 2013-27; OML 2012-15.

Here, we find that the May 22, 2014 e-mail sent by Mr. Schmidt violated the Open Meeting Law. His e-mail specifically endorses a position on a matter within the Commission’s jurisdiction — that is, whether to allow BHRA continued use of town resources. This discussion should have taken place during an open meeting. See G.L. c. 30A, §§ 20(a)-(b), 21. Because it does not appear that any member of the Commission responded to Mr. Schmidt’s e-mail, we find that this was an individual violation, rather than a violation by the Commission as a whole. See OML 2014-148. We note that another recent determination by our office found that the Commission had deliberated by e-mail outside of an open meeting. See OML 2015-3. Because the violation at issue here took place prior to the receipt of that determination, we do not consider this violation to be intentional.

We do not find that the Chair’s July 20, 2014 e-mail violated the law. This email was intended solely to distribute a document to be discussed at a meeting, and the Chair did not express any opinions therein. We therefore find that this email fell within an exception to the definition of deliberation and did not violate the Open Meeting Law. See G.L. c. 30A, § 18.

CONCLUSION

For the reasons stated above, we find that Commission member Joseph Schmidt individually violated the Open Meeting Law. We order immediate and future compliance with the Open Meeting Law, and we caution that similar future violations may be considered evidence of intent to violate the law. We also order that the Commission release to the public, within 30 days following receipt of this letter, the May 22, 2014 e-mail from Commission member Joseph Schmidt.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the

Commission. Please feel free to contact the Division at (617) 963 - 2540 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'K. Manganaro', with a stylized flourish at the end.

Kevin W. Manganaro
Assistant Attorney General
Division of Open Government

cc: Deborah Skauen-Hinchliffe

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by a final order of the Attorney General may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty-one days of receipt of a final order.



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

MARTHA COAKLEY
ATTORNEY GENERAL

(617) 727-2200
www.mass.gov/ago

March 11, 2013

OML 2013 – 29

Michael P. McCarron, Esq.
Town Counsel
Town of West Newbury
381 Main Street
West Newbury, MA 01985

RE: Open Meeting Law Complaint

Dear Attorney McCarron:

This office received a complaint from Thomas Atwood, dated June 26, 2012, alleging that the West Newbury Community Preservation Committee (the "Committee"), and individual Committee members Jane Wild, Ann Bardeen, and Marge Peterson, violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. The complaint was originally filed with the Committee on or about May 16, 2012, and the Committee responded to the original complaint by letter dated June 5, 2012.¹ In his complaint, Mr. Atwood alleges that Committee members Wild, Bardeen and Peterson engaged in improper deliberations by email between April 25, 2012 and May 7, 2012 (hereinafter "the Emails").

We reviewed the May 16, 2012 complaint; your June 5, 2012 response to the complaint on behalf of the Committee;² and the June 26, 2012 complaint filed with our office requesting further review. We also reviewed the emails at issue.

Following our review, we find that the Committee violated the Open Meeting Law by sending electronic communications discussing public business within its jurisdiction to a quorum of the Committee.

¹ We remind the Committee that, while a public body may authorize an individual such as the Town Administrator or Town Counsel to respond on the public body's behalf, the Open Meeting Law and the Attorney General's regulations require that the entire Committee first review the Open Meeting Law complaint. See G.L. c. 30A, § 23(b); 940 CMR 29.05(5). It does not appear that this occurred here.

² For the sake of clarity, we will refer to you in the third person hereafter.



FACTS

Based upon our review of the material listed above, the facts are as follows. The Committee consists of seven members, representing the Board of Selectmen, the Historical Commission, the Conservation Commission, the Planning Board, the Parks and Recreation Commission, the Housing Authority and the community-at-large. The Committee was created by the Community Preservation Act (CPA) to make recommendations to the community at Town Meeting regarding how to spend Community Preservation funds (which consist of a real estate tax surcharge and state matching funds).

On February 13, 2012, in response to Committee member Thomas Flaherty's email to a quorum of the Committee expressing his thoughts on topics to be discussed at an upcoming meeting, Attorney McCarron sent an email to the Committee members cautioning them about improper deliberation by email. Attorney McCarron wrote, "Tom: It is appropriate for you to provide your thoughts as issues for discussion for the meeting. However, you should not solicit email responses since that would be considered deliberations and, as such, a violation of the Open Meeting Law. Discussion of your ideas should be reserved for the public meeting."

During its April 19, 2012 meeting, the Committee decided to present a report at Town Meeting, scheduled for April 30, 2012, to explain the purpose and funding of the CPA, update the Town on fund balances and Committee activities, and introduce CPA-related articles on the warrant. Because the Committee did not plan to meet prior to the Town Meeting, the Committee assigned the task of preparing and presenting the report to Committee member Ann Bardeen. In the course of drafting the report, Ms. Bardeen sought input by email from her fellow Committee members. A description of these emails follows.

On April 25, 2012, Ms. Bardeen sent an email to Warren Sproul, West Newbury Finance Director, and copied the entire Committee. In her email, she requested certain financial information from Mr. Sproul in order to prepare the report, including the "Project Balances" and the "Projected Balances," asking "if Articles 7 and 8 pass..., from which accounts will they be deducted, and what will the new balances be?" Ms. Bardeen then speculated about reserve amounts in various accounts being incorrect in two monthly finance reports and asked about a separate fund balance for the Committee's administrative expenses. ("Email 1")

Two hours later, Ms. Bardeen sent another email to the entire Committee with an attached first draft of a report for Town Meeting. Ms. Bardeen stated, "[t]he portions in red are things I'd especially like your input and comments on, but all of it is open to change" and then requested the Committee to "get back to me asap." In the attachment, Ms. Bardeen arranged an outline of the presentation under the following headings: "Purpose & Funding" (of the CPA); "Fund Balances" (of the Committee); "Committee activity since Fall Town Meeting in October 2011;" and "Articles on the Warrants" (two articles listed were a result of applications submitted to the Committee). Below these headings, Ms. Bardeen posed a variety of comments and questions aimed at filling in details, including whether the Committee should discuss certain topics, such as the outcome of an approval of the ballot

question to reduce CPA funding and proposed Articles 7 and 8. Ms. Bardeen then asked when the Committee should present the report during Town Meeting. ("Email 2")

Later that day, Ms. Peterson sent an email to Mr. Atwood and copied the rest of the Committee (except Ms. Capo), attaching a revised draft of the report. Ms. Peterson added additional comments and questions in capital letters and offered her understanding of the Committee's collective position on several topics, such as the CPC's agreement with another public body's opposition to the ballot vote to reduce CPA funding. Ms. Peterson also asked whether the report should include "Sullivan Property Ad Hoc Committee Memorandum" and whether this was considered an official application to the Committee. In conclusion, Ms. Peterson opined about the appropriate time to present the report during Town Meeting. ("Email 3") Immediately following that email, Ms. Peterson sent an email to Ms. Bardeen and copied the rest of the Committee, asking Ms. Bardeen whether she received her comments on the first draft of the report. ("Email 4")

In response to Email 3, Ms. Wild sent an email to Ms. Peterson on April 26, 2012 and copied the rest of the Committee (except Ms. Capo), stating, "I can't add anything above what Marge has done." Then, Ms. Wild commented on certain budgetary changes, noting "[y]ou should play up the changes in the recreational area." In response to Ms. Peterson's query about an application to the Committee, Ms. Wild added, "Sullivan was exploratory that never got it together." Ms. Wild included the latest version of the attachment that was modified by Ms. Peterson. ("Email 5") On April 27, 2012, Ms. Bardeen sent an email to the entire Committee and attached a second draft of the report containing the "incorporated suggestions" from Ms. Peterson and Ms. Wild. Ms. Bardeen again invited the Committee to respond. The attachment included additional comments and questions, including a statement of the Committee's collective opinion on its opposition to the upcoming question on the ballot to reduce the CPA surcharge from 3% to 0.5%, the financial impact if certain warrant articles were approved, and offered her opinion on the most "neutral" time to present the report. Ms. Bardeen described the Committee's recent activity on its application process, stating, "[w]e will continue this work, and plan to have some specific changes to tell you about in the fall." ("Email 6")

Finally, on May 4, 2012, Ms. Bardeen sent an email to the Committee (with a copy to Mr. Atwood), stating "Tom and I are looking for people to hold signs in support of keeping 3% CPA...[p]lease reply to all and let us know..." ("Email 7")

DISCUSSION

The Open Meeting Law was enacted "to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based." Ghiglione v. School Committee of Southbridge, 376 Mass. 70, 72 (1978). The Open Meeting Law therefore requires that "[e]xcept as provided in [G.L. c. 30A, § 21(a)], all meetings of a public body shall be open to the public." G.L. c. 30A, § 20(a). "Meeting" is defined, in part, as "a deliberation by a public body with respect to any matter within the body's jurisdiction." G.L. c. 30A, § 18. "Deliberation" is defined as "an oral or written communication through any medium, including electronic mail, between or among a quorum of a public body on any public business within its jurisdiction; provided, however, that 'deliberation' shall not include the

distribution of a meeting agenda, scheduling information or distribution of other procedural meeting or the distribution of reports or documents that may be discussed at a meeting, *provided that no opinion of a member is expressed.*” Id. (emphasis added)

We find that, with the exception of Emails 4 and 7, the other five emails constituted improper deliberation outside of an open meeting. In Email 1, Ms. Bardeen discussed items of public business within the Committee’s jurisdiction; namely, the Committee’s fund balances. The comments, questions and revisions in the email exchange regarding the draft report discussing ongoing Committee activities, the Committee’s collective opinion, and various proposed Warrant Articles that potentially affected the Committee’s budget were also matters of public business within the Committee’s jurisdiction. Additionally, the Committee members’ discussion of the strategic timing of the presentation itself was tantamount to sharing policy viewpoints on matters directly related to the Committee’s business. See OML 2011-14; ³ see also OML 2013-6 (“[t]he manner in which the Board chooses to present its decisions and proposals to the public is of public interest and constitutes ‘public business within its jurisdiction.’”) Therefore, the opinions, comments and revisions in Emails 1, 2, 3, 5 and 6 should not have been shared with a quorum of the Committee’s members outside of a properly posted open meeting.

We find that email 4, however, was not an improper deliberation because its content was limited to a purely administrative matter, namely whether a prior email was received. See OML2012-63. This email therefore fell within an exception to the definition of “deliberation.” Email 7 also was not an improper deliberation because it solicited Committee members to participate in a demonstration, which is considered a form of individual speech, rather than a matter of public business in the Committee’s jurisdiction. See OML 2012-64 (“[s]tatements made by public body members for political purposes that do not involve matters presently or likely to come under consideration by the public body in the future are not communications on public business within the jurisdiction of the body, regardless of whether they are made by an individual public body member or by the members collectively.”)

The Open Meeting Law gives the Attorney General the authority to determine “whether the public body, 1 or more of the members, or both, are responsible” for a violation. G.L. c. 30A, § 23(c). Here, Ms. Bardeen initiated the improper electronic communications, however several other members sent responses to a quorum of the Committee. Therefore, we find that the Committee as a whole violated the Law. However, we find that the Committee’s violation was not intentional, but rather the result of a misunderstanding of the Law’s requirements. Attorney McCarron’s email to the Committee appropriately cautioned against solicitation of email responses. However, his statement that it was appropriate to “provide your thoughts as issues for discussion for the meeting” via email may have created the misleading impression that the type of conduct that occurred here was permissible. While a member of a public body may distribute a document for discussion at a meeting by email, the member may not include his or her opinion in the document. See OML 2012-84. Expression of an opinion on matters within the body’s jurisdiction to a quorum of a public body is a

³ Open Meeting Law determinations may be found at www.mass.gov/ago/openmeeting.

deliberation, even if no other public body member responds. See OML 2012-15; OML 2012-8; OML 2011-37.

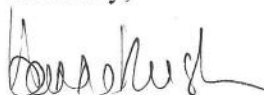
In its response, the Committee asserted that the email exchange was not an improper deliberation because the draft report merely sought factual information from fellow Committee members in an effort to disclose general information about the Committee to the Town. We disagree with this assertion; however we acknowledge that determining which tasks are merely "administrative" can be challenging, therefore we advise public bodies to avoid communicating over email at all except for distributing meeting agendas, scheduling meetings and distributing documents created by non-members to be discussed at meetings, provided that no opinions are expressed. OML 2013-4; OML 2013-5. This letter is intended to provide future guidance to the Committee.

CONCLUSION

We find that the Committee violated the Open Meeting Law by sending electronic communications discussing public business within its jurisdiction to a quorum of the Committee. We order immediate and future compliance with the Open Meeting Law, and caution that future similar conduct may be considered evidence of intent to violate the Open Meeting Law. Additionally, we order the Committee to view the video training on the Open Meeting Law available at the Attorney General's website, and certify in writing to our office, within thirty (30) days after receiving this determination, that all of its members have done so. Finally, we order the Committee to publicly disclose the improper email communications at the Committee's next meeting.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints that may be pending with our office or the Committee. Please feel free to contact me if you have any questions or believe any facts in this letter to be inaccurate.

Sincerely,



Hanne Rush
Assistant Attorney General
Division of Open Government

cc: Thomas Atwood
West Newbury Community Preservation Committee

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by this order may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty one days of receipt of this order.



MARTHA COAKLEY
ATTORNEY GENERAL

THE COMMONWEALTH OF MASSACHUSETTS OFFICE OF THE ATTORNEY GENERAL

ONE ASHBURTON PLACE
BOSTON, MASSACHUSETTS 02108

(617) 727-2200
www.mass.gov/ago

March 11, 2013

OML 2013 – 27

Arthur D. Frank, Jr., Esq.
Law Offices of Arthur D. Frank, Jr.
209 Bedford Street, Suite 402
Fall River, MA 02720

RE: Open Meeting Law Complaint

Dear Attorney Frank:

This office received two complaints from Patrick Higgins alleging that the Swansea Board of Selectmen (the “Board”) violated the Open Meeting Law, G.L. c. 30A, §§ 18-25. In his first complaint, dated June 28, 2012, Mr. Higgins alleges that on June 23, 2012, the Board used Town Administrator James Kern “as a conduit to openly communicate, deliberate and makes (sic) decisions outside of an Open Meeting.”¹ The complaint was originally filed with the Board on or about June 25, 2012, and you responded on behalf of the Board to the original complaint by letter dated June 26, 2012.

In his second complaint, dated July 23, 2012, Mr. Higgins alleges that based on a July 18, 2012 Facebook posting, the Board engaged in a deliberation outside of a properly posted meeting regarding its strategy for addressing the possibility that the Swansea Recreation Commission (the “Commission”) might close its day camp.² The complaint was originally filed with the Board on or about July 18, 2012 and you responded on behalf of the Board to the original complaint by letter dated July 19, 2012.

We reviewed the June 25 and July 18, 2012 complaints; your June 26 and July 19, 2012 responses to the complaints, on behalf of the Board; the June 28 and July 23, 2012

¹ In his June 28, 2012 letter, the complainant further alleges that the Board’s notice for its June 26, 2012 meeting failed to include sufficient detail about anticipated discussion topics. We decline to review the additional allegation because it is beyond the scope of the original complaint filed with the public body. Potential violations discovered after a complaint has been filed with a public body should be alleged in a subsequent complaint filed with that body. This allows the public body an opportunity to investigate and take appropriate remedial action with regard to the additional allegations.

² In his July 23, 2012 letter, the complainant further alleges that Chairman Scott Ventura and Selectman Kenneth Furtado both visited the Recreation Commission’s summer program Director, Katie Grillo, to discuss the Board’s plan for any potential closing of the program. Again, we decline to review the additional allegation because it is beyond the scope of the original complaint filed with the public body.

complaints filed with our office, requesting further review; two emails sent on June 23, 2012; the Board's agenda for a June 26, 2012 meeting; and the text of Chairman Scott Ventura's Facebook posting. We also spoke by telephone with Chairman Ventura.

Following our review, we find that Chairman Ventura individually violated the Open Meeting Law by sending an electronic communication discussing public business within the Board's jurisdiction to a quorum of the Board. We do not find that Mr. Ventura intentionally violated the law, however, but rather misunderstood the law in his attempt to accurately respond to Mr. Higgins' question. Additionally, we find that the Board did not deliberate outside of a properly posted meeting.

FACTS

Based upon our review of the material listed above, the facts are as follows. The Board has three members, thus two members constitute a quorum. On June 22, 2012, the Board posted notice for a June 26, 2012 meeting. Item 8 of the agenda listed "Recreation Commission Discussion" as an anticipated topic for discussion.

June 23, 2012 Email

On June 23, 2012, the complainant sent an email to the three members of the Board – Chairman Ventura, Robert Marquis and Kenneth Furtado – asking, "[w]hat is the 'Recreation Commission discussion' on your agenda?" Later that day, Chairman Ventura responded by email to the complainant, Mr. Marquis and Mr. Furtado, with a courtesy copy to Mr. Kern. In Chairman Ventura's reply, he stated that earlier in the year, the Commission was "having some major issues" and the Board had discussed its options concerning the future of the Commission. Chairman Ventura then described and enumerated three options that were identified by the Board at that time. Chairman Ventura explained that the Board decided to take no action regarding the Commission "until recent votes regarding children with [a]utism being banned from the summer program, handpicked [j]unior [c]ounselors, minutes issues, poor decorum in the meetings and all the bad press...compelled [him] to re-open the discussion and revisit the Town's options." In closing, Chairman Ventura stated, "[t]hrough discussions with Jim Kern, it was relayed to me that my colleagues had similar concerns," therefore the Commission was placed on the Board's agenda as an item for discussion.

July 18, 2012 Facebook Posting

On July 18, 2012, Mr. Kern and Chairman Ventura discussed a contingency plan for the Commission if it closed its summer program. Following this conversation, Chairman Ventura posted a message to his personal Facebook page that was signed, "Scott." The message stated that the Board "continually stated that this was not about the summer program, that it was a program that was well run and that it would not be affected. I am only making one statement as this forum is not an appropriate one for me to be going back and forth on, yet an important tool because it reaches so many. This is a TOWN program run with TOWN money." Chairman Ventura further explained that the Board

decided that if the Commission closed the summer program, the Town would re-open the program the following day.

DISCUSSION

The Open Meeting Law requires that all meetings of a public body be properly noticed and open to members of the public, unless an executive session is convened. See G.L. c. 30A, §§ 20(a)–(b), 21. The Law’s purpose is “to eliminate much of the secrecy surrounding deliberations and decisions on which public policy is based.” Ghiglione v. School Committee of Southbridge, 376 Mass. 70, 72 (1978). A “meeting” is defined, in relevant part, as “a deliberation by a public body with respect to any matter within the body’s jurisdiction.” G.L. c. 30A, § 18. The law defines “deliberation” as “an oral or written communication through any medium, *including electronic mail*, between or among a quorum of a public body on any public business within its jurisdiction; provided, however, that ‘deliberation’ shall not include the distribution of a meeting agenda, scheduling information or distribution of other procedural meeting or the distribution of reports or documents that may be discussed at a meeting, provided that no opinion of a member is expressed.” Id. (emphasis added)

In Chairman Ventura’s June 23, 2012 email, the content of which we discuss below, he references a prior conversation he had with Mr. Kern, who shared with him the concerns of “[his] colleagues” regarding the Commission. During a telephone conversation with our office, Chairman Ventura was unable to recall whether Mr. Kern in fact relayed this message to him. While we credit Chairman Ventura’s inability to recollect his conversation with Mr. Kern to the passage of time, a reference to his “colleagues” in this context strongly suggests that a quorum discussed the matter through Mr. Kern. In the absence of concrete evidence to the contrary, however, we are constrained to find that the Board did not violate the Open Meeting Law. Nevertheless, we remind the Board that a public body may not engage in a serial communication whereby a quorum communicates in a non-contemporaneous manner outside of a meeting, on a particular subject matter within the public body’s jurisdiction. See McCrea v. Flaherty, 71 Mass. App. Ct. 637 (2008) (holding that private serial communications violate the spirit of the Open Meeting Law and may not be used to circumvent the intent of the law). A public body may not use a non-member, such as a staff member, to communicate on matters that the Board would otherwise save for discussion at an open meeting. See District Attorney for the Northern District v. School Committee of Wayland, 451 Mass. 561, 570-571 (2009) (“Governmental bodies may not circumvent the requirements of the open meeting law by conducting deliberations via private messages, whether electronically, in person, over the telephone, or in any other form.”) Thus, Mr. Kern may solicit input from individual public body members regarding topics for upcoming meeting agendas, but may not facilitate serial communication between the Board’s members. See OML 2012-105.³

³ Open Meeting Law determinations may be found at www.mass.gov/ago/openmeeting.

With respect to the content of Chairman Ventura's email, which was sent to the entire Board,⁴ we find that he expressed policy positions and opinions on official matters that were under active consideration by the Board. See G.L. c. 30A, § 18 (excluding "scheduling" and "procedural" matters from the definition of "deliberation" provided that "*no opinion of a member is expressed*" (emphasis added)). Expression of an opinion on matters within the body's jurisdiction to a quorum of a public body is a deliberation, even if no other public body member responds. See OML 2012-15; OML 2012-8; OML 2011-37. Certain discussions regarding procedural or administrative matters may relate to public business within a body's jurisdiction, such as where the discussion involves the organization and leadership of the public body, committee assignments, rules or bylaws for the body, and discussions of whether the body should consider or take action on specific topics at a future meeting. OML 2011-38; see also OML 2012-63 (finding that an email sent to a quorum of a Board relating to an individual Board member's authority to make decisions on behalf of the Board was public business within the Board's jurisdiction). Here, Chairman Ventura explained the various options that the Board previously discussed about how to handle the recent issues involving the Commission. Chairman Ventura then shared his opinion on the Commission's recent conduct, including "minutes issues, poor decorum in the meetings and all the bad press," which "compelled" him to re-open the Board's options at the June 26, 2012 meeting. While we acknowledge that Chairman Ventura likely intended to accurately respond to the question posed to the Board in the complainant's email, this was certainly a matter within the Board's jurisdiction and, because a quorum of the Board was copied, violated the Open Meeting Law.

The July 28, 2012 posting to Chairman Ventura's individual Facebook page, however, did not constitute an improper deliberation under the Open Meeting Law because he did not communicate between or among a quorum of the Board.⁵ Furthermore, the content of the posting, in which Chairman Ventura defends the Board's prior action regarding the Commission during the Board's July 17, 2012 meeting, was not a communication on public business within the jurisdiction of the Board because it was a statement characterizing past acts for political purposes.⁶ See OML 2012-10. We caution Chairman Ventura and the Board, however, that social networking sites such as Facebook invite the temptation to deliberate outside of a properly posted meeting.

CONCLUSION

For the reasons stated above, we find that Chairman Ventura individually violated the Open Meeting Law by sending an electronic communication discussing public business within the Board's jurisdiction to a quorum of the Board. Additionally, we find that the

⁴ We acknowledge that by sending his email to the entire Board, the complainant invited Chairman Ventura to respond to all recipients of the email.

⁵ We note that the communication was made to individuals following his personal Facebook page, which did not include the other Board two members.

⁶ We caution public body members to be conscious, when formulating such statements, of the need to limit discussion to the political statement and avoid discussing matters that are within the public body's jurisdiction.

Board did not deliberate outside of a properly posted meeting in violation of the Law. We order the Board to disclose the content of Chairman Ventura's June 23, 2012 email at a properly posted open meeting. Additionally, we order immediate and future compliance with the Open Meeting Law, and caution that future similar conduct may be considered evidence of intent to violate the Law.

We now consider the complaint addressed by this determination to be resolved. This determination does not address any other complaints which may be pending with our office or the Board. Please feel free to contact me if you have any questions or believe any facts in this letter to be inaccurate.

Sincerely,



Hanne Rush
Assistant Attorney General
Division of Open Government

cc: Patrick Higgins
Swansea Board of Selectmen

This determination was issued pursuant to G.L. c. 30A, § 23(c). A public body or any member of a body aggrieved by this order may obtain judicial review through an action filed in Superior Court pursuant to G.L. c. 30A, § 23(d). The complaint must be filed in Superior Court within twenty one days of receipt of this order.

John F. Doherty, Ed. D.
Superintendent of Schools

82 Oakland Road
Reading, MA 01867
Phone: 781-944-5800
Fax: 781-942-9149



Christine M. Kelley
Assistant Superintendent

Jennifer A. Stys, Ed.D.
Director of Student Services

Gail Dowd, CPA
Chief Financial Officer

Reading Public Schools

Instilling a joy of learning and inspiring the innovative leaders of tomorrow

TO: Reading School Committee

FROM: John F. Doherty, Ed.D.
Superintendent of Schools

DATE: May 26, 2020

TOPIC: Email Correspondence and Other Information

Please find attached for your information, copies of email correspondence and information received by School Committee members and Central Office Administrators from community members as well as other pertinent information.

We have included responses, if applicable, as well.

If you have any questions, please contact me.

Engelson, Linda

From: Sarah McLaughlin <smmclaughlin@gmail.com>
Sent: Wednesday, May 13, 2020 3:13 PM
To: DG School Committee
Subject: Continued concerns regarding remote learning and planning

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Dear school committee members - I am reaching out in follow-up to my previous email dated April 20th, to share my significant continuing concerns regarding the RPS response to remote education amidst the global pandemic. The concerns I specified in my previous email still remain, despite the roll-out of the Phase 3 remote learning plan on May 3rd.

To be very clear, I do not believe this is a school-level problem - our child's teachers and principal have been nothing short of wonderful and supportive. They have been incredibly creative working within the constraints of the limited scope they have been provided. Rather, it is due to a lack of forward-thinking planning and timely execution on the part of the district administration that we find ourselves in the current situation, creating significant disparities on how remote learning plans are being rolled out in different school buildings.

1) The remote learning plan continues to be a short term solution offering little more than student-driven learning activities and places the burden onto students and families.

We are half-way through week 9 of remote learning and my child has yet to have a single structured, scheduled, remote session where a teacher has actively instructed the whole class in new material.

The April 24th guidance from DESE emphasizes that schools should "provide engaging core instruction," yet the Reading plan does not include any actual direct instruction, rather only optional "synchronous live connections." Learning new skills without any explicit, structured teaching is a completely unrealistic burden to place on students and families and an insufficient way to ensure students attain full mastery of key concepts.

Private schools and public districts all around us - including many of our surrounding districts - have been providing remote instruction and actively teaching (several from day 1), yet we are not. This places our students at a direct disadvantage amongst their peers.

We have dedicated and talented teachers - why can't we let them teach?

2) Throughout the past 9+ weeks of remote learning, our district has been using a wait and see approach, rather than planning ahead. We need to be thinking ahead and putting plans in place now for the Fall semester.

There is a strong likelihood that we will not be returning to school buildings in the Fall and even if we do it will require a hybrid model with social distancing measures in place and heavy reliance on remote instruction. The sub-par remote learning plan bandaid we have been utilizing to get through the crisis of the Spring will certainly be a completely insufficient and unsustainable way for us to get through another year or more of continued learning for all our students.

Are there plans underway for how school will be conducted in the Fall (hopefully with multiple contingency plans)?

Is there a district study group working to review the options for the Fall and various scenarios? If so, does it include key stakeholders such as teachers and parents?

Has there been any formal data collected from parents and teachers about what it is they like/don't like/need, etc? We need to work together to structure a program that will be successful and sustainable for our teachers, students, and families.

And finally, with all due respect, the tone of the Superintendent's email earlier this week seemed to indicate that those of us that are dissatisfied should be thankful for what we are getting and should not be complaining. It is unfortunate if some communications from families have been less than constructive or have been hurtful. However, others should not be discouraged to share their feedback, particularly as we are in uncharted waters and it's important to understand the experience of all those involved in making this a success.

We are fortunate to live in a district with a strong sense of community and many strong resources, not the least of which is our amazing teachers and staff. I strongly believe that we should - and can - do a whole lot better for our students in the face of this crisis.

Respectfully,
Sarah McLaughlin, MPH
282 South Street

Engelson, Linda

From: Rebecca Schromm <rebecca0620@yahoo.com>
Sent: Thursday, May 14, 2020 10:49 AM
To: Doherty, John; DG School Committee; Shankland, Richele; Boynton, Kathleen
Subject: Thank you

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Good morning Dr. Doherty, Mrs. Shankland, Mrs. Boynton and members of the Reading School Committee:

I hope you and your families are safe and well during this challenging time. I am writing to thank you all for your hard work during this period of remote learning. I know it has not been easy but I appreciate all of the work being done "behind the scenes" to figure out how to best support students and families in an equitable manner.

As a physical therapist working in a different public school district, I am fully aware of how much thought and effort our teachers, specialists, related service providers and support staff are putting in to provide our children with educational opportunities. I want to thank my children's teachers FROM THE BOTTOM OF MY HEART for their time, effort, support and creativity. It means so much that the teachers truly care about my kids' well being at this challenging time, not just if they are doing assignments. I am happy that there are more "live" opportunities being offered in Phase III (I only wish they were offered on a platform other than Microsoft Teams) as my kids were missing the social connection from school. I also want to thank the custodial, food services and nursing staff who continue to support the Reading Public Schools and families.

I want to apologize for the negative social media comments and emails that you have had to endure. I am saddened that some people chose to attack our teachers/administrators during this global pandemic, where many people are dealing with health, emotional and financial issues. Please know that these vocal critics do not represent the majority.

Thank you all so much for everything you are doing to support my kids (and my entire family). Wishing you well!

Rebecca Schromm
(Parent of RMHS 10th grader, RMHS 9th grader and Parker 7th grader)

PS: I want to give special recognition to "Mrs. Doc's 7th grade team" at Parker-- the communication and organization from this team has been outstanding!

Engelson, Linda

From: Robinson, Charles
Sent: Friday, May 15, 2020 9:16 AM
To: Rebecca Liberman
Cc: Engelson, Linda
Subject: Re: Some suggestions for kids out of school during COVID to get more learning during current situation

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Rebecca,

Thank you for the suggestions. John Doherty and Chris Kelley are coordinating remote learning so by copying them on your email they are at the correct place to review and consider. Thanks.

Chuck Robinson

From: Rebecca Liberman <rfliberman@gmail.com>
Sent: Thursday, May 14, 2020 10:07 PM
To: DG School Committee <SchoolCommittee@reading.k12.ma.us>; Doherty, John <John.Doherty@reading.k12.ma.us>; Kelley, Christine <Christine.Kelley@reading.k12.ma.us>
Subject: Some suggestions for kids out of school during COVID to get more learning during current situation

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Hi,

I've made a few suggestions here that might help improve remote learning this time that I hope the administration will consider. I recommend not waiting for the new platform to be available but instead to use old fashioned phone calls and email for some of this until the planned replacement for Microsoft Teams is ready.

1. The next remote learning phase needs a timetable for implementation and so does the rollout of the new platform, including training time for teachers, families, and students.
2. Provide a syllabus for each class and a detailed list of concepts/topics for every class for all students (or parents or both for younger kids)
3. Set clear expectations for each grade level, and provide a schedule of school activities for the upcoming week.
4. Make sure there's consistency between classrooms, schools and grades
5. Record all teacher sessions, in case of technical issues/kids who cannot attend, etc.
6. Attendance should be taken, and there should be outreach to those who miss class--this could be a flag for issues that may need to be addressed
7. Every student should receive phone calls from teachers to check in on a regular schedule
8. Guidance counselors should reach out by phone to all high school students to check in
9. Specials should meet regularly: music, art, library, and especially PE
10. Make sure younger students have workbooks so they can do some work independently. We liked the Summer Bridge series to keep our kids from losing ground over the summer.
11. Encourage reading with a program like the Reading Library summer reading program, with prizes
12. Provide opportunities to focus on writing:

All students grades 8 and up should get a big research paper (7+ pages) assignment to do on a topic of their choice, with detailed outlines, etc.

Students grades 10 and up could be taught now to write cover letters, resumes, etc.

Have younger students write cards and letters to seniors and to their teachers for writing practice
I hope that some of these suggestions are helpful, and if so, I hope you will implement them.
Thank you.
Rebecca Liberman
50 Pratt St.

Engelson, Linda

From: Robinson, Charles
Sent: Friday, May 15, 2020 9:13 AM
To: Rebecca Liberman
Cc: Engelson, Linda
Subject: Re: A question for public comment--could there be a summer school session?

Hi Rebecca:

I hope you and your family are well. Thank you for the question. I apologize for this question not being asked last night. The meeting got into some technology time limit issues and we didn't get to public input. As the district is reviewing next steps we will ask that this discussion be on the table. Thanks.

Chuck Robinson

From: Rebecca Liberman <rfliberman@gmail.com>
Sent: Thursday, May 14, 2020 10:18 PM
To: DG School Committee <SchoolCommittee@reading.k12.ma.us>; Doherty, John <John.Doherty@reading.k12.ma.us>; Kelley, Christine <Christine.Kelley@reading.k12.ma.us>
Subject: A question for public comment--could there be a summer school session?

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Hi,

I had a question for public comment tonight.

Would the district consider having a summer school session?

If so, I think that could be really helpful in making sure our kids don't lose ground over the summer, and it could be a great help with camps not meeting, playing with friends limited, etc.

I urge you to consider this, if it is possible.

Thank you.

Rebecca Liberman

50 Pratt St.

Engelson, Linda

From: Rebecca Liberman <rfliberman@gmail.com>
Sent: Friday, May 15, 2020 10:46 AM
To: DG School Committee
Subject: Public comments and addressing remote learning

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Dear Members of the School Committee,

I was disappointed that there was no time for public comment during last night's meeting, even though this had been scheduled on the agenda right after the Executive Session at the beginning of the meeting. In order to give the public a chance to weigh in and to comply with the Open Meeting Law, I urge you to make the following changes to your meetings:

1. The agenda order must be followed unless there is a compelling reason to change it, which should require a public vote
2. Time for public comment should be provided at both the beginning and at the end of each meeting, and this needs to be a requirement at every meeting
3. The public should be able to comment on ANYTHING during any comment period, whether or not it is on the agenda
4. All comments received prior to the meeting should be read aloud, including any written responses--this and #3 are especially important as meetings are held remotely during this pandemic
5. Comments must receive responses during the meeting, even if it's to say, "We will find out and get back to you". This will allow those who comment to feel heard and will help ensure that issues don't get neglected. And issues that require follow up should be addressed at the next meeting.

Last but not least, could you please devote significant time at your next meeting to getting an update on remote learning and making sure there is a good plan in place for this?

Things like the social media and the budget can wait, but our students are falling behind academically and suffering from the isolation from teachers and classmates right now.

Getting students onto a predictable schedule with regular interactions with teachers and classmates is critical. And once things are working relatively well with remote learning, I strongly urge you to add a summer session so that students can make up some of the lost academic time and maintain the connections with their teachers and classmates.

Thank you.

Sincerely,

Rebecca Liberman

50 Pratt Street.

Engelson, Linda

From: Robinson, Charles
Sent: Wednesday, May 20, 2020 9:32 AM
To: amybell1212@hotmail.com
Cc: Engelson, Linda
Subject: Re: Current remote learning

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ms. Keddy:

Thank you for the thoughtful and frank email and I appreciate your concerns. As you know the district has been working for a while in planning what next year may look like and a lot of that is dependent on directives from the Gov. and the state board of education.

I hope we will be able to present something that will make you feel more comfortable with the district going forward. I am always available to discuss if you have questions. Thank you.

Chuck Robinson

From: Amelia keddy <amybell1212@hotmail.com>
Sent: Tuesday, May 19, 2020 7:34 PM
To: DG School Committee <SchoolCommittee@reading.k12.ma.us>; Doherty, John <John.Doherty@reading.k12.ma.us>; Christine.kelly@reading.k12.ma.us <Christine.kelly@reading.k12.ma.us>
Subject: Current remote learning

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

To Dr. Doherty, Mrs. Kelly, and School Committee Members,

I am 16 year resident of Reading and have three children in the Reading school system, a 9th, 7th and 2nd grader. Throughout their school years, I have been happy and satisfied with their education. While none of us could have predicted that we would launch this dramatic new transition in education, I had faith in the Reading educators and the administration staff to come together to ready themselves to teach our children from their own homes.

I understood this would not be perfect. Nothing can ever replace a teacher in a classroom. I knew there would bumps in the road as we all adjusted to this new reality, and that public education in Reading will look tremendously different for the foreseeable future.

I have great empathy and compassion for the teachers who are navigating how to remotely teach and connect with their students. I was patient while they and the administration put together a remote learning plan that included students a consistent engagement in remote learning with a focus on connectedness and meaningful connections with teachers and peers. I was extremely disappointed and frustrated this connection took until Phase 3 of Reading's remote learning plan. Seeing how other school districts as well as private schools were able to have teachers and students interact sooner was again frustrating. Although I understand the security concerns with using Zoom, Microsoft Teams is grossly an inadequate platform for teachers and students to be using only being able to see 4 tiles is an ineffective way to communicate to a class of 20 students. And even now with the upgrade to see 9 tiles it is

still not the most beneficial to teachers and students. I understand Reading will be signing their contract with Zoom Education soon and hopefully this platform will mitigate future issues.

Since Phase 3 was launched, my son who is in 2nd grade, was excited to finally be able to see and connect with his classmates. He currently has one 30 minute meeting a week. Logging into a Microsoft Team meeting is frustrating and challenging. He often has to wait 10-20 minutes just to get into a meeting and once he finally can join, there is only a few minutes left. Unfortunately, today he was unable to join due to technical issues because of the platform and was extremely disappointed. As any 2nd grader, he thrives on seeing and connecting with his classmates. Being quarantined and unable to see his classmates is hard for him to understand and these weekly meetings are a highlight for him. I am baffled of why Reading chose this platform and thought it would be the best for teachers and students. We are in 10 weeks of our remote learning and the number of issues continues to grow.

My greatest concern lies with the unknown of what the next school year will look like. I understand Reading is planning for different possible scenarios with the hopes we all can return to school; but frankly, I am considering enrolling my children in private school because I lack faith that Reading will have an adequate and effective remote learning plan that will provide not only a sufficient, reliable platform for communicating with students but also the tools to allow teachers to introduce and teach new curriculum.

I am saddened and disappointed that I may have to make this decision but I need to do what is best for my children's education. I chose to live in Reading in large part for the school system and could justify paying high taxes in order to provide my children the best education I could. However, based on what I've seen and experienced with Reading's remote learning and the unknown of what the school year will look like, I need to consider other options.

Sincerely,

Amy Keddy
3 Carriage Lane
Reading, MA 01867

Engelson, Linda

From: Robinson, Charles
Sent: Thursday, May 21, 2020 10:42 AM
To: audrahart@me.com
Cc: Engelson, Linda
Subject: Re: Mrs. Callan and Mrs. Emery

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ms. Cashin:

Thank you for sharing your thoughts. We are very lucky to have so many outstanding teachers in Reading.

Chuck Robinson

From: Audra Cashin <audrahart@me.com>
Sent: Wednesday, May 20, 2020 4:36 PM
To: DG School Committee <SchoolCommittee@reading.k12.ma.us>
Subject: Fwd: Mrs. Callan and Mrs. Emery

CAUTION: This email originated from outside of Reading Public Schools. Do not click links or open attachments unless you recognize the sender email address and know the content is safe.

Mrs. Ippolito, Dr. Doherty, and members of the Reading School Committee,

I hope this email finds you all well.

I am a parent of four Reading students, as well as a middle school teacher in Medford. I truly grasp the challenges of teaching remotely, all the while managing our own households.

I have long thought that elementary teachers are the hardest working ones of us all. Our recent situation has only magnified that belief.

I am sure there are so many teachers doing a wonderful job during such a difficult time. Despite that, I still feel the need to commend Mrs. Emery and Mrs. Callan at the Joshua Eaton for going above and beyond. Because I am an educator, it is clear to me the immense time they are both spending preparing lessons. They do read alouds, video lessons, and make phone calls, just to name a few ways they are connecting with the students. It is clear they are putting in far more time and effort than an average school day would require.

I am a strong believer that if we email when we see a problem, we should also take the time to email when we see excellence. I feel fortunate that my daughters are going through this situation with these two excellent teachers.

Thank you for your time.

Audra Cashin

Sally Cashin, grade 10

Emmy Cashin grade 9

Cathleen Cashin grade 4

Erin Cashin grade 4

School Committee Calendar Topics

Please note that this calendar may change depending on the status of the current health crisis and/or availability of presenters and topic material in consultation with the Chair

An Asterik indicates office half hour for this session at 6:30 p.m. All meetings will be in the RMHS Schettini Library unless noted.*

Date	Topic	Group
July 11th 6:00 p.m.	Approval of RMHS Handbook MASC Training School Committee Protocol Reorganization	Administration MASC Administration School Committee
August 1st 6:00 p.m. Meeting cancelled	Superintendent Evaluation Executive Session 1 st Reading of Policies CBI – Evaluation of the Superintendent	School Committee School Committee School Committee
August 29th 6:00 p.m.	New Teacher Introductions Adopt School Committee Operating Protocols Summer Update Capital Plan Update	New Teachers School Committee Administration Finance
September 11	Financial Forum	Finance Committee
September 12th	School Facilities Assessment Report 2019 YRBS Survey Results	Finance Administration
September 25	RCASA Annual Meeting Jordan's Furniture	RCASA
September 26	Middle School 2019 YRBS Presentation Superintendent's Evaluation Appointment of Superintendent to Collaborative Boards	RCASA School Committee School Committee
October 16	Financial Forum Reading Public Library – 7:30 p.m.	Finance Committee
October 17th	MCAS Presentation Middle School Math/Social Studies Update	Administration Administration
October 23 5:30 p.m.	School Committee Vacancy	School Committee & Select Board
October 28	District and Superintendent's Goals Dyslexia Screening Presentation 1 st Reading of Policy BHE-SM Social Media Policy	Administration Administration School Committee
November 6th 7:00 p.m. Town Hall Conference Room	Elementary Space	Administration
November 7th	Elementary Space Update 2 nd Reading of Policy BHE-SM Social Media Policy	Administration School Committee
December 3, 4, 10 & 11	Finance Committee/Select Board FY20 Budget	
December 12 6:00 p.m.	RMHS Guidance Presentation and Update School Calendar 1 st Reading Social Media Policy School Improvement Plan review	RMHS Administration School Committee Administration

December 19*	Quarterly Personnel Report Quarterly Financial Report FY21 Prebudget Presentation 2 nd Reading of Policy BHE-SM Social Media Policy Superintendent's Evaluation Process	Human Resources Finance Finance School Committee Administration
January 2	Superintendent Contract – OML Violation	School Committee
January 6*	Public Hearing FY21 Budget FY21 Budget Discussion FY21 Capital Plan	Administration
January 16	FY21 Budget Discussion – Regular Day & Special Education	Administration
January 23	FY21 Budget Discussion Public Hearing on FY21 Budget Questions	Administration School Committee Administration
January 27	FY21 Budget Discussion Final Vote	Administration School Committee
February 6*	Kindergarten Update Portrait of Graduate Update School Committee Brochure	Administration Administration School Committee
February 26 (RMHS Schettini Library)	Finance Committee	FY21 Budget Presentation
March 3	Town & Presidential Primary Election	
March 11	Finance Committee Town Hall – 7:30 p.m.	FY21 Budget Meeting Vote TM Articles
April 9 Remote	Vice Chair Reorganization COVID-19 School Closure Update	School Committee District Administration
April 16 Remote	Changes to NEC Articles of Agreement School Calendar Change Kindergarten and RISE Tuition Relief Permission to Negotiate Rate Changes in Tuition and Transportation Superintendent Evaluation Cycle	Superintendent Superintendent District Administration District Administration District Administration School Committee
April 23 Remote	Superintendent Evaluation Process School Choice SOA Plan Presentation and Discussion	Superintendent Superintendent Superintendent
April 30 Remote	Presentation of Evidence for Evaluation SC Presentation by Colby Brunt Modular Project Update Transportation Contract Update	Superintendent School Committee Finance and Operations Finance and Operations
May 12 Remote	Finance Committee Meeting	Finance Committee
May 14 Remote	Intermunicipal Agreement with Wakefield (Food) Capital Update Social Media Policy and Guidelines Executive Session with Michael Joyce	Finance and Operations Finance School Committee District Administration
May 28 Remote	SEPAC Presentation Quarterly Personnel Update Quarterly Financial Update Transportation Contract Scheduling of Retreat for District Improvement Plan Social Media Policy and Guidelines	SEPAC Human Resources Finance Finance School Committee School Committee
TBD (RMHS Field House)	Graduation	School Committee

June 11*	Teacher Recognition FY 20 and 21 Budget Superintendent Evaluation	Teachers Administration School Committee
June 15	Town Meeting	
June 18	Declare Surplus Equipment Curriculum Superintendent Contract Extension Discussion	Finance Administration School Committee
July 2	Reorganization Discuss Elementary Space Plan	School Committee School Committee

DRAFT