

WARE SCHOOL COMMITTEE MEETING

REGULAR BUSINESS MEETING

TIME: 6:30 P.M.

WEDNESDAY, JULY 14, 2010

PLACE: Ware Junior-Senior High School Library

PRESENT: Christopher Desjardins; Aaron Sawabi; Brian Winslow; Danielle Souza;
Joanne Rys

ABSENT: Superintendent of Schools Dr. Mary Elizabeth Beach

ALSO PRESENT:

T. Janey Loehr-School Committee Recording Secretary;
Bob Warren, Acting Superintendent; Stuart Holland; Charlene
Desjardins

Chris Desjardins called the meeting to order at 6:30 P.M.

A Pledge of Allegiance to the Flag was conducted at this point of the meeting.

NOTE: This meeting has been videotaped and is on file in the
Superintendent's Office. This is a written summary of the action taken
at this meeting.

NOTE: Documents referenced with (SEE ATTACHED) are on file in the
Superintendent's Office in a file folder marked with the date of this
meeting.

I. Approval of Warrants and Payroll.

A. Warrants and Payroll for July 03, 2010.

MOTION by Danielle Souza and seconded by Aaron Sawabi to accept the warrants
and payroll for July 03, 2010 as submitted. All in favor.

II. Approval of Meeting Minutes:

A. Minutes from Monday, June 21, 2010 – Regular Meeting.

MOTION by Danielle Souza and seconded by Brian Winslow to approve the meeting
minutes from the Monday, June 21, 2010 regular business meeting as submitted.
All in favor.

B. Minutes from Monday, June 21, 2010 – Executive Session.

MOTION by Aaron Sawabi and seconded by Danielle Souza to approve the meeting minutes from the Monday, June 21, 2010 executive session as submitted. All in favor.

III. Comments and Concerns of Citizens.

Chris Desjardins stated that he received a letter regarding an incident that happened immediately following the superbowl game on December 5, 2009. The committee needs to decide to schedule a meeting in executive session and if this is to be discussed in executive session then the parties need to be present. Joanne Rys thought it would be appropriate to invite the administration because they handled the situation. Aaron Sawabi asked if we have received any legal counsel on this. Mr. Desjardins answered that yes he has spoke to Fernand Dupere, legal counsel and he said that the committee had to discuss first in open session, in order to set up an executive session and that this is not something that School Committees typically handle. Aaron Sawabi added that if we can get some questions answered about the incident this may help to bring the community some closure. Brian Winslow then asked if anyone else could be present at the executive session, for example the person who wrote the letter, Mr. Desjardins asked legal counsel this and was told no, not to invite others because the committee will be questioning administration on their handling of the incident. Mr. Winslow then asked if the committee would give a formal response. No, because no one is looking for anything from the committee, administration handled the issue. Mr. Sawabi further commented that maybe outside of the School Committee's jurisdiction, we need to stay in compliance. Joanne Rys mentioned that the party deserves a response, especially due to the many years of service dedicated by this individual to the town and school. Danielle Souza agreed that he deserves a response. Aaron Sawabi is looking for more clarity and closure on the issue, and to what extent the committee should be involved and to make sure they follow proper procedure. He further stated that perhaps Attorney Dupere could make it to the meeting and if not, we should prepare questions for him. Chris Desjardins then read the last sentence of the third paragraph of the letter which reads, "the administration promised that a report of their investigation would be sent to him, nothing has ever been received". Mr. Desjardins commented that administration did attempt to meet with him, but did not hear back from him, he said he does not know exactly what they wanted to meet with him about. Danielle Souza then asked if the attempt to meet was done through email, phone or mail and do we have evidence that administration tried to set up a meeting. Aaron Sawabi would like to question legal on what the committee has a right to ask because this involves both staff and students. The committee decided that they would like some questions to be answered and would like to have legal counsel present at the meeting. The committee decided to call Attorney Dupere to see if and when he is available.

MOTION by Chris Desjardins and seconded by Brian Winslow to move into recess at 6:47 PM for five minutes to call Attorney Dupere. All in favor.

Chris Desjardins called the meeting back to order at 6:52 P.M. He was unable to reach Attorney Dupere but did leave a message.

Another communication via email was received by the committee about an incident that happened during the baseball season, this incident also involves employee/employer student relations. The committee can schedule to speak of this incident in the August 4, 2010 executive session meeting. Chris Desjardins will see that the parties are invited thus giving those involved an opportunity to speak and that he will continue to try and get in touch with Attorney Dupere to see when he is available.

IV. Sub-Committee Discussion:

A. Policy Update.

Danielle Souza and Joanne Rys reported that the sub-committee met last night to finalize the handbook, and that in the committee's packets is the final reading of the bullying policy (attached) and a copy of an updated JIH-E policy (attached).

Aaron Sawabi asked about the bullying policy legal reference after the stalking section, is this a legal reference to the entire bullying policy or just the stalking portion within the bullying policy. He further read, "...shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years..." is this a criminal law and should we define who handles this because the school committee could arrest anyone. Joanne Rys explained that that referenced as part of state law. Mr. Warren further commented that this policy goes in parcel with the law and in an excerpt taken from the actual law. Brian Winslow asked how does this policy match up to the discipline matrix, and he commented that this policy is to the full extent of the law and goes above and beyond what is in the matrix.

After some discussion, Chris Desjardins suggested that we add a paragraph the following legal references are included in this policy for your information. And that it is not the school's responsibility to arrest anyone.

Danielle Souza mentioned that the discipline matrix is challenging and needs to be looked at, Joanne Rys agreed. Chris Desjardins mentioned that when looking at the matrix for example when suspension is implemented is it external or internal. Mr. Warren then discussed the educational process and to what extent the student/s disrupted that process and that this weighs in on whether the suspension would be internal or external he also said that with the younger kids we want to keep them in school. Further Mr. Warren mentioned that some of the scrutiny of the discipline matrix is well founded much of it is progressive and depending on the severity the administrator has discretion on where to go with the matrix. A severe level you are looking at a maximum discipline and not a minimum. The committee does not know how to define levels within the matrix. The definitions have been compiled and will

be added to the end of the discipline matrix in the student handbook for the upcoming year.

Chris Desjardins asked what constitutes a complaint about bullying, does a student have to come forward or if it is witnessed by a teacher do they file a complaint. Do you need an actual complaint from a student because they may not file one and just try and take the bullying? Danielle Souza answered that administration is working on the process for recording the complaints and a flow chart is being put together and will be available soon. Aaron Sawabi thinks the district should have a complaint form in order to keep record of the incidents, thus creating a paper trail, even if there is an anonymous complaint.

MOTION by Joanne Rys and seconded by Aaron Sawabi to approve the Bullying Policy File: JICFB as amended. 5 members approved. All in favor. Motion Carries.

MOTION by Aaron Sawabi and seconded by Danielle Souza to approve updating the parties involved in the Policy File: JIH-E as amended. 5 members approved. All in favor. Motion Carries.

MOTION by Aaron Sawabi and seconded by Danielle Souza to approve the Ware Public Schools Student Handbook 2010-2011 as amended. 5 members approved. All in favor. Motion Carries.

B. Upcoming Policy Subcommittee Meetings as Follows:

- August 16, 2010, 5:00 P.M. in the Young Men's Library.

V. Reports/Updates.

A. Budget Report.

Andy Paquette was absent from the meeting, Chris Desjardins did mention that there should be some transfers that need to be approved. This will help to zero out budget line items. We do this every year and will probably take place at the August 4th, 2010 meeting. He further told the committee if they have any budget questions to email him and if he can not answer he will forward to Andy Paquette.

B. Report from Superintendent.

- Busy this summer cleaning, repairing and grooming. Four students were hired through our regular budget, four students from the Franklin/Hampshire Employment and Training Consortium, which is federal funded and three students from the Work Force Investment Act through Pathfinder Regional High School.
- Fifteen students are receiving tutoring through a DESE MCAS prep grant.

- We have hired Lianne Werlein as the new assistant principal at SMK. She was most recently in Amherst. Additionally, we have hired replacement music teachers at both SMK and WMS. Extra good news we have reinstated the French position to full time. We feel fortunate during these tough financial times to have music instruction at all three schools.
- The FY11 budget signed by the governor has thrown a couple of curves but we are still in the game with no cuts or reductions in sight. Largely due to the significant electric use savings and a two year lock in we will be paying half the amount per kilowatt.
- There is a possibility that the town will not be paying any bills until August 5th due to the fact that we don't have a new town treasurer and the assistant town treasurer will be on vacation for two weeks. We apologize to our vendors for the payment delay.
- Enrollment update since June 21, 2010 meeting: Two females one in grade 2 and one in grade 3 have moved out of town.

VI. Old/Unfinished Business.

A. Open Meeting Law Requirements – Tabled from June 21, 2010

Chris Desjardins reported that this was going to be pushed back to December, and then he was told that no as of July 1, 2010 we have to follow the new meeting laws. Now we need to have agenda's posted outside of the meeting place (in this case will be attached to the door of the Ware Junior/Senior High School). This keeps us more in line with the agenda. He have to stick to the agenda, Comments and Concerns of citizens we do not have any control over, once a citizen has a comment or concern they may do so at the designated time. Mr. Desjardins just asked that the committee look over the new laws. Danielle Souza asked about the Special Projects line on the agenda and did the committee vote to take it off the agenda. Chris Desjardins mentioned that yes we did have one and he will talk to Linda it. The committee and recording secretary will review the new open meeting laws. A question also came up about the Superintendent's Evaluation whether it is a public document or not, in the past since it was discussed in open session it became a public document, Chris Desjardins will check with legal counsel. Brian Winslow also questioned executive session being on the agenda if we do not have executive session should it not be taken off the agenda? Chris Desjardins thought yes it should come off but will check.

VII. New Business:

A. JIH-E – Protocol Reporting For Civil Rights Violations and Other Crimes – Vote

This took place during the Sub-Committee discussion, see above, **IV. Sub-Committee Discussion: A. Policy Update.**

B. Policy JICFB – Bullying 3rd Reading – Vote

This took place during the Sub-Committee discussion, see above, **IV. Sub-Committee Discussion: A. Policy Update.**

C. Discussion for Warrant Signatures

Discussion took place about having a designated emergency signer for the warrants, in the past we have had an emergency signer to count as signatures for the entire committee. Brian Winslow was a designated signer in the past and said he would again be the designated signer; he would prefer phone calls for emergencies.

Motion by Aaron Sawabi and seconded by Joanne Rys to have Brian Winslow be the emergency designated signer for warrants and payroll. All in favor. Motion Carries.

Brain Winslow asked if Chris Desjardins would speak with Dr. Beach about taking a good look at the bus schedule. We did quite a bit of doubling up on high school runs in June. Mr. Winslow would like to see if doubling up could eliminate a bus someplace in order to add a late bus again. Chris Desjardins mentioned we had the late but in the past because we had an after school program. Danielle Souza asked if we could add to the unfinished business/new business. Chris Desjardins did speak with the recording secretary so that in the future we can better communicate what information the committee is looking for from the superintendent and to get topics on the agenda.

VIII. Communications.

IX. Other Business.

A. Executive Session (Under Massachusetts General Laws M.G.L.) Chapter 39, Section 23B, Qualification No. 3) to discuss strategy with respect to collective bargaining or litigation.

MOTION by Chris Desjardins and seconded by Aaron Sawabi to adjourn the meeting at 7:55 P.M. All in favor.

ROLL CALL VOTE:

C. Desjardins.....yes
B. Winslow.....yes
J. Rys.....yes

A. Sawabi.....yes
D. Souza.....yes

Respectfully submitted,

Dr. Mary Elizabeth Beach
Superintendent of Schools

_____, Chairman
