

OPEN SESSION MINUTES
MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT
REGULAR SCHOOL COMMITTEE MEETING
JULY 7, 2015 PM 6:00 PM
PAUL REVERE ROOM, MINUTEMAN HIGH SCHOOL

Present:

Jeff Stulin, Chair (Needham)	Jennifer Leone (Lancaster)
David Horton, Secretary (Lexington)	Sharon Antia (Lincoln)
Alice DeLuca (Stow)	Jack Weis (Belmont) (arrived 6:12 PM)
Ford Spalding (Dover)	Doug Gillespie (Weston)
Cheryl Mahoney (Boxborough) (arrived 6:25 PM)	Pam Nourse (Acton)
Judy Taylor (Carlisle)	Mary Ellen Castagno (Wayland) (left 9:25 PM)
Sue Sheffler (Arlington)	

Absent: Carrie Flood, Vice Chair (Concord); Dave Manjarrez (Sudbury); David O'Connor (Bolton)

Also present: Ed Bouquillon, Kevin Mahoney, Elizabeth Rozan, Steve Sharek, Nancy Pierce, Diane Dempsey, Sheila Nagle, Pat Brown, Gene DiPaolo

1. CALL TO ORDER: OPEN SESSION

The Chair called the meeting to order at 6:00 PM.

2. PUBLIC COMMENT

There was no Public Comment

3. CHAIR'S REPORT

a. Scheduling: Special Meeting in September

The Chair explained the need for a special meeting in September, and after discussion, the following vote was taken:

ACTION 2015 #52

Moved (Spalding) and seconded (Antia)

To add September 8, 2015 to the Meeting Calendar, time to be determined closer to the date, for a Special School Committee meeting

Vote: 10 in favor, 1 opposed

4. PRINCIPAL'S REPORT

a. Skills USA Results

On behalf of the Principal, the Superintendent reported on the results of Skills USA, noting that Girls in STEM won the National Grand Prize in Student-2-Student Mentoring Programs, Collin Kelly was awarded the Silver Medal in Action Skills, and that Massachusetts has the highest number of Skills students of any state.

5. SCHOOL BUILDING COMMITTEE REPORT

a. Communications: 6.23.15 Belmont Letter to MSBA

The Superintendent referenced the recent letter from Belmont to the MSBA expressing concern about enrollment, the correspondence from the Arlington Board of Selectmen expressing concern about the Regional Agreement, and Boxborough's wide ranging issues. He noted that to respond, he has engaged Educational Alliance to conduct a Scope of Work, and is asking the School Committee to consider a vote approving his recommendation to expend funds for a public opinion survey to gauge community knowledge of Minuteman and the sentiment about Minuteman's building project. He explained the scope

of services, that this has been vetted by the Office for Campaign and Political Finance and the State Board of Ethics, and that bids were sent to 5 different companies, with one response. He explained the details of the respondent (DAPA Research, David Paleologos, a well-known pollster and Director of Political Research Center at Suffolk University) and noted that his bid came in at \$18,500. He then asked the School Committee to vote to approve his recommendation to expend funds for a public opinion survey, which was moved (Spalding) and seconded (DeLuca).

Mr. Spalding noted that while Belmont has expressed opposition to the project because of the enrollment figure, and that his town (Dover) is opposed to the district wide vote option because they feel marginalized in the process, he suggested approving the recommendation so that a survey could be conducted, and urged that discussions begin with the 16 Boards of Selectmen right away to discuss enrollment and educational decisions, so that everyone is clear and consensus can be reached. An amendment to the motion was made (DeLuca) and seconded (Spalding) to amend the figure in the vote to \$18,500, and the following vote was taken:

ACTION #2015 53 A

Moved (DeLuca) and seconded (Leone)

To amend the figure in the vote to \$18,500

Vote: Unanimous

A member noted that she could not follow, from past meeting minutes, the evolution of the 628 enrollment number. Discussion continued with clarification on the Educational Alliance scope of work related to whether the proposed enrollment number meets criteria outlined, and that the opinion questions have not yet been developed. Steve Sharek explained that questions must be neutral, designed to obtain information or opinions, rather than to support or oppose an anticipated ballot question, and that statements must be fact-based and neutral, not designed for advocacy. He also explained who would be polled and the privacy involved. A request was made for the actual questions Steve Sharek submitted to the Office for Campaign and Political Finance. It was suggested that this kind of polling does not yield useful data, and that it might be better to communicate with the towns directly and do the survey later, if needed. The member from Carlisle explained her experience with polling, emphasizing that telephone landlines are not the best source of response at this point, and that questions should be developed from key issues that inform the poll. It was suggested that drafts could be run-by some members, but that the Office for Campaign and Political Finance would have the final say. Another point raised was that the expenditure of these funds would be at the expense of something else, but reassurance was offered that there were funds available. The Chair pointed out that he is more inclined to approve of this, if the member with experience is involved; she expressed willingness to be involved, and there was no objection from the administration. The member from Arlington offered her perspective that generic questions would be different for each community, and that the point of the survey must be clear. It was suggested that a committee be formed to work on this and it was pointed out that such a formal process requires compliance with OML restrictions, that this could be an opportunity for School Committee to micromanage a process, and that the poll has some time restrictions. The following vote was then taken:

ACTION 2015 #53 B

Moved (Spalding) and seconded (Horton)

For the Chair to appoint three School Committee members to work with the Administration and the consultant in developing questions

Vote: 3 in favor, 8 opposed, 2 abstentions

This motion did not pass.

It was then suggested that the Superintendent reach out to some School Committee members, as needed, in a less formal way. The Superintendent agreed, noting that he cannot manage more complexity at this point. Concern was raised that the vote would commit the School Committee to a specific path, but Mr. Mahoney affirmed that conducting the work in phases could be negotiated, if feedback determines there's no useful information. The member from Belmont noted that he would like to see the survey first, and the

Superintendent noted this would slow down the process, with the possible need for an additional School Committee meeting. Timing issues were discussed, and the Superintendent confirmed that his goal is to have results by the September meeting. It was also pointed out that the School Committee does not need to approve all the details, and that this survey will not replace the necessary educational outreach to the District's member towns regarding the building project.

A vote on the main motion, as amended, was then taken as follows:

ACTION 2015 #54

Moved (Spalding) and seconded (DeLuca)

To authorize the Administration to expend up to \$18,500 for the purposes of securing the services of a professional research firm to ascertain voters' opinions about Minuteman High School, including a proposed building project. The poll questions must be neutral, designed to obtain information or opinions, not to support or oppose an anticipated ballot question. In addition, any descriptive statements made by the polling firm to introduce the poll to those being surveyed must be fact-based and neutral, and not for the purpose of advocacy.

Vote: 9 in favor, 4 opposed

The Superintendent will work informally with some of the School Committee members, in anticipation of having the results of the survey by the September meeting.

b. Update on 6.24.15 Meeting with MSBA's Facilities Assessment Subcommittee

Mr. Spalding reported on the recent meeting with the MSBA's Facilities Assessment Subcommittee. He confirmed that MSBA has an understanding of the District's towns, and that they were aware of Belmont's letter at the time of the meeting, but it was not discussed. Follow-up questions were submitted to Minuteman, and materials are being provided for further clarification. A question was raised about a number on Slide 16 of Dr. Bouquillon's presentation at that meeting, and he clarified the detail. A request was also made to receive the follow-up questions, and it was confirmed that they would be made available when complete.

6. SUPERINTENDENT'S REPORT

a. Discussion: Ch. 71 Sec. 16 options (16 (d) and 16 (n)), timelines, notifications, language, and impact

The Superintendent distributed a comparison of Project Approval Options, and an updated list of Frequently Asked Questions (Attachment A). Comments were made to augment the list, and others were related to debt exclusion considerations, and the need to provide in-depth information to voters. The need to communicate to the Boards of Selectmen on enrollment, cost, and the educational plan, all related to the building project, was voiced as critical, and necessary before September. Arlington's position against the District Wide Ballot (16 (n)), the need to get information out to the general public so people could vote from an informed position, and the risk of losing state funding were points raised. It was suggested that combining the options and utilizing the Fall Town Meeting mechanism for those who have one scheduled, was a possibility and one that could serve to test the waters, i.e., to see if those town approve the building project. If one town says no in the Fall, then the District Wide Ballot option could still be pursued in Spring. The member from Acton urged that it would be a mistake to underestimate how much would be involved in preparing for a District Wide Ballot. The Superintendent pointed out that the District can commit resources to the process for Town Meeting, but is more restricted with a District Wide Ballot. He noted that he is gearing up for a public relations campaign with the work of the Educational Alliance, once MSBA selects the preferred building plan option on August 6. The member from Lincoln expressed that she is eager to begin work on the Communications Subcommittee, but needs accurate data to communicate. The reality of having been in the MSBA pipeline for so long, the reality of having to spend considerable funds to come up to code now and in the future, as occurred with the Trades Hall, and the number of communities who still don't have a project after 10 years were points raised to stress the importance of not jeopardizing MSBA funding at this point. The member from Weston encouraged the idea of using the Fall Town Meeting route, but cautioned against the 45-day restrictions

and the one-issue Special Town Meeting. The member from Belmont expressed his opinion that the vote to bond should come at the end of the Schematic Design Process, not at the beginning.

The Superintendent noted that he will ask which towns have a Fall Town Meeting scheduled, and will come forth with a motion for the September 8 meeting.

b. The Regional Agreement

1. Amendment related to Wayland Town Meeting Vote

The Superintendent referred to the Regional Agreement amendment prompted by Wayland's recent vote to withdraw, and pointed out that this language was vetted with the attorney and is in full compliance with statute and the current Regional Agreement. It was moved (Spalding) and seconded (Gillespie) to approve the Regional Agreement Amendment related to Wayland's request to withdraw. An amendment was moved (Weis) and seconded (Antia), and Mr. Weis explained his thinking behind the amendment, namely to avoid a precedent with other towns seeking an economic advantage to withdraw. The Superintendent clarified that if Wayland's withdrawal is approved by 16 towns, they must present a plan to the Commissioner of Education regarding how the town will provide vocational education to students of Wayland, and he voiced his opinion that it is not appropriate to use students in this argument, as it is their civil right to this kind of education. Ms. Castagno pointed out that the IMAs were developed to address this concern, and the Superintendent concurred. He also clarified the state regulations. Whether conditions could be put forth to a non-member was raised, and a member pointed out his opinion that ignoring students is an elitist attempt to keep students out. The circumstances for Arlington were raised, namely that there are 150 students from Arlington going to Minuteman, but that there are 5000 other students, 9 schools, and a high school in much worse condition than Minuteman. Another member noted that it is too bad that Wayland wants out, and another was not comfortable with the wording of the amendment, as it applied to future students, i.e., those not born yet. The following vote was then taken on the Weis Amendment:

ACTION 2015 #55

Moved (Weis) and seconded (Antia)

That subject to such additional editorial changes as Minuteman's counsel believes are appropriate, to add the following additional paragraph to the proposed amendment to the Regional Agreement governing the potential withdrawal of Wayland from the Minuteman Regional School District:

4. The Town of Wayland hereby agrees not to enroll, and hereby agrees not to oppose, the Minuteman Regional School District's decision not to permit Wayland students not enrolled at the effective date of Wayland's withdrawal from enrolling at Minuteman for a period of 20 years from the date of said withdrawal.

Vote: 2 in favor, 10 opposed, 1 abstention

This motion did not pass.

Concern was expressed that a small number of people had made the decision for Wayland, which leaves the children at risk, and it was pointed out that Wayland now needs to advocate for itself to all the other communities, i.e., to gain their support to withdraw from the District. The member from Lincoln asked if there was any possibility of mending the rift that caused this action, and the member from Wayland explained that they had written a letter to the Superintendent outlining concerns about the Regional Agreement and concerns were ignored. She also clarified her opinion that it was a long and thoughtful process, and not a hasty decision for Wayland. That their vote was taken, the requirements needed for Wayland, and the membership issues raised in the previous Regional Agreement discussions were points raised. With regard to debt, it was clarified that a member is responsible until not a member. The following vote was then taken:

ACTION 2015 #56

Moved (Spalding) and seconded (Gillespie)

To approve the Regional Agreement Amendment related to Wayland's request to withdraw, as shown below:

Amendment to Minuteman Regional Agreement regarding the Withdrawal of
The Town of Wayland from the Minuteman Regional School District

Whereas the Wayland Town Meeting voted on April 15, 2015 to seek withdrawal from the Minuteman Regional School District, and whereas Section IX of the Minuteman Regional Agreement requires the Minuteman Regional School Committee under such a circumstance to draft an amendment to the Regional Agreement setting forth the terms by which a town seeking to withdraw may withdraw from the District, the Regional School Committee voted at a meeting on _____, 2015 to submit the following amendment to the Regional Agreement to the member towns for their approval.

Amendment No. ____ to the Minuteman Regional Vocational Technical School District Agreement

1. The references to the Town of Wayland will be stricken from the prefatory language of the Regional Agreement as well as from Section I and from wherever else a reference to Wayland appears in the Regional Agreement.
2. The Town of Wayland, even after the date that its withdrawal becomes effective, will remain responsible, consistent with the terms of Section IX of the Regional Agreement, for its share of the indebtedness of the District which is outstanding as of the effective date of Wayland's withdrawal.
3. Pursuant to the terms of 603 CMR 41.03, assuming that the approval of this amendment has been voted by the town meetings in all of the member towns, as well as having been approved by the Commissioner of Education, by December 31 of a given year, the effective date of this amendment and the effective date of Wayland's withdrawal will be the July 1 following that December 31 date.

Vote: 11 in favor, 2 opposed

This amendment will be sent to the Towns for Town Meeting consideration.

2. Update on Amendments to Regional Agreement

A motion was made (Spalding) and seconded (Gillespie) related to terminating efforts to amend the Regional Agreement in ways beyond what was required for Wayland. Mr. Spalding noted that this has been a lengthy process, with 6 towns voting no or taking no action. He extended appreciation to those who worked so hard on this, although all towns did not participate. He noted that the current Regional Agreement is in effect, the owners of the district are the 16 towns, and that it is the responsibility of the towns to bring forth any changes going forward. Mr. Weis expressed that Belmont had been actively engaged and Wayland noted that the Regional Agreement was a roadblock to their membership. The Superintendent noted that he sent to the Advocacy Group an update, explaining that at the will of his bosses (i.e., the School Committee), he is not taking this on any longer, but will be supportive of any efforts they pursue. He noted that he's received some positive response from his correspondence to the Advocacy Group. He noted that he will forward this correspondence to the School Committee, and pointed out that the Boards of Selectmen will receive it as well, should the motion made by Mr. Spalding be approved. Whether the vote was needed, Arlington's position that the leadership is not in support without a revised Regional Agreement, the suggestion that Arlington take the lead to make the necessary changes, confidence that an amended Regional Agreement can be achieved, and the School Committee's and the Superintendent's willingness to be supportive of the towns' efforts were points raised.

An amendment was suggested, and the following vote was then taken:

ACTION 2015 #57A

Moved (Antia) and seconded (Leone)

To replace

“If communities in the District wish to make further attempts to amend the current Agreement, it is the School Committee’s belief...” with

“The School Committee encourages communities in the District to make further attempts to amend the current Agreement, as it is the School Committee’s belief...”

Vote: 12 in favor, 1 opposed

The vote on the main motion, as amended, was then taken as follows:

ACTION 2015 #57B

Moved (Spalding) and seconded (Gillespie)

The Minuteman School Committee extends its appreciation and thanks to the Superintendent, his Administration, the Regional Agreement Amendment Subcommittee (RAAS), and a host of town leaders (Regional Amendment Advocacy Group) throughout the District for their efforts to reach agreement on the proposed changes to the current Regional Agreement. While the Committee recognizes that these efforts did not result in unanimity despite years of hard work, the Committee feels that this was an important effort and one that had to be attempted.

VOTE: To direct the Superintendent and his Administration to terminate their efforts to amend the Regional Agreement, except to the extent required to fulfill the District’s legal obligations to the Town of Wayland pursuant to the recent vote of its Town Meeting. The School Committee encourages communities in the District to make further attempts to amend the current Agreement, as it is the School Committee’s belief that such efforts should be initiated by the Boards of Selectmen in our 16 member towns, not by the Minuteman School Committee or by the Minuteman Administration.

Vote: 8 in favor, 4 opposed (with 1 out of the room)

This will be sent to the 16 Boards of Selectmen and Town Managers; the School Committee will receive a copy of the Superintendent’s 6.29.15 memo to the Advocacy Group.

7. ASSISTANT SUPERINTENDENT’S REPORT

a. Notification of Donations

The Assistant Superintendent presented the details of recent donations to the school: an electric bike and cash, an oscilloscope, a 2000 Toyota Camry, and Graphic Design books and magazines. He explained that the electric bike would be used for reverse engineering.

b. Notification of Disposal of Vehicles

The Assistant Superintendent notified the School Committee of the disposal of 3 vehicles, and pointed out that one of them needs to be crushed.

c. Acceptance of Donation: 1927 Ford Roadster

The Assistant Superintendent asked for a vote on a recent donation of a unique vehicle, to be used in the Automotive Program with Freshmen, valued above \$5,000, and the following vote was taken:

ACTION 2015 #58

Moved (Spalding) and seconded (DeLuca)

To accept the vehicle donation of a 1927 Ford Roadster as presented

Vote: Unanimous

d. Acceptance of Scholarship

The Assistant Superintendent asked for a vote on a scholarship donation, and the following vote was taken:

ACTION 2015 #59

Moved (Spalding) and seconded (DeLuca)

To accept the \$1,000 donation from Rotary Club of Lexington for the Minuteman Scholarship Fund

Vote: Unanimous

e. Update on 501c3

The Assistant Superintendent explained that he attended a workshop meeting with a consultant whose focus was on developing and submitting paperwork related to establishing 501c3s, and determined that it would be beneficial to work with this consultant to get Minuteman's 501c3 in place. He explained that the consultant also remains available for support and expertise once the organization is established. He further explained that Minuteman was asked to put the 501c3 together, as there was an interest in supporting it, and that the School Committee's previous input on the process was helpful. The following vote was then taken:

ACTION 2015 #60

Moved (DeLuca) and seconded (Mahoney)

To authorize expenditure of up to \$1,000 for legal services related to establishing Minuteman's 501c3

Vote: 11 in favor, 1 opposed (with 1 out of the room)

f. Proposed FY 16 Revolving Funds

The Assistant Superintendent reviewed the FY 16 Revolving Funds and explained the areas of positive and negative trending, clarified questions, and noted that the Finance Subcommittee has reviewed and has recommended it for a vote. A member of the Finance Subcommittee concurred and noted that he is pleased that tools are now in place to monitor these funds. The following vote was taken:

ACTION 2015 #61

Moved (DeLuca) and seconded (Spalding)

To approve the proposed FY 16 Revolving Funds as presented

Vote: Unanimous

g. Update on OPEB

The Assistant Superintendent explained the three-step process involved in beginning to address the Other Post-Employment Benefit (OPEB) liability, currently at approximately \$13M. He explained that the first step is to adopt the provisions of MGL Ch. 32B Section 20, as a local option to establish the trust fund. This will be followed up with the drafting of a trust agreement, which will be reviewed by the School Committee, who will also name the trustees in accordance with the trust agreement. Then the trustees will meet to approve the trust agreement and adopt an investment policy. The District Treasurer serves as the custodian of the account and will be required to open an interest-bearing bank account to invest

the trust assets. He explained that it is good business practice, supported by the Auditors, to get this in place. The School Committee then took the following vote:

ACTION 2015 #62

Moved (DeLuca) and seconded (Spalding)

To adopt the provisions of MGL Ch. 32B Section 20 for the purpose of establishing the Other Post-Employment Benefits Liability Trust Fund

Vote: Unanimous

A member suggested that a Treasurer's Report be scheduled at an upcoming School Committee meeting, as there hasn't been one in some time.

h. Execution of Teachers Collective Bargaining Agreement

The Assistant Superintendent explained that Attorney Michelle McNulty has been working to compile the unchanged elements of the previous contract with the Educator Evaluation details and the 2014-2017 MoU components ratified by the School Committee on 2.24.15 into one clean, clear, and comprehensive document. A request was made for a redlined version to compare, and the School Committee took the following vote:

ACTION 2015 #63

Moved (Spalding) and seconded (Leone)

To approve and execute the full document of the Collective Bargaining Agreement as presented

Vote: 12 in favor, 1 abstention

Appreciation was extended to the faculty negotiations team.

i. FY 15 Budget Transfer -Vote

The Assistant Superintendent explained the details of the FY 15 Budget Transfer vote he was requesting, and the School Committee took the following vote:

ACTION 2015 #64

Moved (DeLuca) and seconded (Spalding)

To approve the transfer of the sum of \$4,000 from account #01.04.5200-Health/Life Insurance to account #01.05.9300-Student Outside Placement Services

Vote: Unanimous

j. Possible Vote on Real Property

The Assistant Superintendent explained that there was no need for this item at this time.

8. SUBCOMMITTEE REPORT

a. Special Policy Task Force

Ms. DeLuca explained that the two policies approved for 1st Reading at the last meeting (DJE (Bidding Requirements), and DN (School Properties Disposal Procedures)) were not yet ready for 2nd Reading, as they were still under review by members of the Finance Subcommittee. She presented Policy DJ (Purchasing) for 1st Reading, noting the reviewers, and thanking Ms. Rozan for keeping track of these policies. The following vote was then taken:

ACTION 2015 #65

Moved (DeLuca) and seconded (Spalding)

To approve Policy DJ (Purchasing) for 1st Reading

Vote: Unanimous

9. SECRETARY'S REPORT

a. Approval of Minutes

The Secretary reported that he received no amendments to the draft minutes, and the School Committee took the following vote:

ACTION 2015 #66

Moved (DeLuca) and seconded (Spalding)

To approve the Draft Open Session Minutes of 6.16.15 as presented

Vote: 11 in favor, 2 abstentions

10. REORGANIZATION/ELECTION OF OFFICERS

a. Process

The Chair explained the need to allow the Superintendent to preside temporarily while the School Committee is reorganized with the election of Officers. The following vote was then taken:

ACTION 2015 #67

Moved (Spalding) and seconded (DeLuca)

To allow the Superintendent to preside temporarily

Vote: Unanimous

b. Nomination for Chair

The Superintendent opened the floor for nominations, and Jeff Stulin was nominated (Spalding) and seconded (DeLuca). Mr. Stulin expressed a willingness to serve, and explained that another term was in compliance with the By-laws. The following vote was then taken:

ACTION 2015 #68

Moved (Spalding) and seconded (DeLuca)

To appoint Jeff Stulin as Chair for 2015-16

Vote: 12 in favor, 1 abstention

c. Nomination for Vice-Chair

Resuming the role of Chair, Mr. Stulin announced that he was nominating Carrie Flood to serve again as Vice-Chair, and this was seconded (Spalding). The Chair noted that though Ms. Flood was absent, she had expressed a willingness to serve another term. The following vote was then taken:

ACTION 2015 #69

Moved (Stulin) and seconded (Spalding)

To appoint Carrie Flood as Vice-Chair for 2015-16

Vote: Unanimous

d. Nomination for Secretary

The Chair announced that he was opening the floor for nominations for Secretary. Mr. Horton was nominated (DeLuca) and seconded (Spalding). He expressed a willingness to serve, but also nominated Judy Taylor, and this was seconded (Castagno). Ms. Taylor expressed that she was not willing to serve, and the following vote was taken:

ACTION 2015 #70

Moved (DeLuca) and seconded (Spalding)

To appoint Dave Horton as Secretary for 2015-16

Vote: Unanimous

The Chair expressed appreciation to members for his reelection. He noted that he will begin reviewing subcommittee assignments soon, and asked that people forward any specific requests to him for consideration.

11. POSSIBLE EXECUTIVE SESSION

The Chair explained that there was need for Executive Session, for two purposes described below, as item 11b. of the agenda was not necessary. He explained that Ms. Rozan would remain, and that there would be no return to Open Session. The following vote was then taken by roll call:

ACTION 2015 #71

Moved (Spalding) and seconded (DeLuca)

To enter Executive Session for the 2 purposes described below:

a. Re: Open Meeting Law Complaint filed by David Manjarrez on June 14, 2015 as revised, supplemented or superseded, and consideration of possible response to same

Pursuant to Purpose 1 of the Open Meeting Law (MGL. C. 30A, s. 21 (a) (1)): To consider an Open Meeting Law complaint against a public officer, namely the Minuteman School Committee officers, such complaint having been filed with the District by David Manjarrez on June 14, 2015 and revised, supplemented or superseded thereafter; and pursuant to Purpose 7 (M.G.L. c 30A, Section 21 (a)(7)) to comply with or act under the authority of a Massachusetts General Law by receiving legal advice from counsel protected from disclosure under Massachusetts General Law with the relevant citations of law being M.G.L. c. 4, Section 7, clause twenty-sixth, MGL. c. 30A, s. 21 (a) (1) and MGL. c. 214, s. 1B.

b. Re: Approval of Past Executive Session Minutes

Pursuant to MGL Ch. 30A, Sec. 22 (f): To review, amend, finalize, and approve minutes from Executive Sessions of the Committee held on 4.14.15 and 6.16.15, and to determine whether continued non-disclosure of such minutes is appropriate.

Spalding	Yes	Horton	Yes
Sheffler	Yes	Leone	Yes
Taylor	Yes	Antia	Yes
Mahoney	Yes	Weis	Yes
DeLuca	Yes	Castagno	Yes
Stulin	Yes	Gillespie	Yes
		Nourse	Yes

Vote: Unanimous

12. ADJOURNMENT

The meeting adjourned from Executive Session at 9:30 PM.

Respectfully submitted,

Elizabeth Rozan
District Assistant

David Horton
Secretary

ATTACHMENTS TO THE MINUTES OF 7.7.15

- A. Comparison of Project Approval Options and updated Frequently Asked Questions

**Comparison of Project Approval Options
Minuteman High School
July 7, 2015**

Town Meeting Approval M.G.L. Chapter 71, Section 16(d)		District-Wide Ballot M.G.L. Chapter 71, Section 16(n)	
<i>Pros</i>	<i>Cons</i>	<i>Pros</i>	<i>Cons</i>
Traditional	Prolongs the approval process	Available to us legally	District expenditure
Politically expected	One Town Meeting can veto the project	Decision is known in one day	An unfamiliar process
	Uncertain Town Meeting obstacles	Positive impact on recruitment and admissions	
	Intent to reject the project already on record	Voters who foot the bill can voice their opinion	
	Additional approvals beyond Town Meeting for debt exclusion	Promotes the appearance of unity within the District	
	Risk of losing state funding greatest	Individual voter decisions are made	
		Ability to accelerate the construction schedule can save millions	

Frequently Asked Questions
District-Wide Balloting
Updated June 26, 2015

1. **Is a district-wide ballot legal?** Yes. State law provides the Minuteman school district with two (2) ways to borrow money for capital projects (construction projects). Both of these options are outlined in Massachusetts General Laws Chapter 71, Section 16. Subsection (d) allows the district to borrow with approval from the Town Meetings in its member towns. Subsection (n) allows the district to borrow with approval by a district-wide ballot.
2. **Why haven't I heard about district-wide balloting before?** Good question. Regional vocational school districts have generally gone the "traditional" route to borrow for large capital projects, by securing approval from each of their member towns at Town Meetings. But Subsection (n) – a district-wide ballot -- is also an option available in state law.
3. **Has this been done before?** Yes. Bay Path Regional Vocational Technical High School in Charlton secured approval for a \$73.8 million renovation project through a district-wide ballot in October of 2012. Franklin County Technical School in Turners Falls secured approval for \$2.456 million in renovations through district-wide balloting on June 23, 2015.
4. **What does Minuteman have in common with Bay Path and Franklin County Tech?** All three are regional vocational technical schools. Like the other two, Minuteman has a sprawling district, with multiple member communities. Bay Path has 10 member towns. Franklin County has 19. Minuteman has 16.
5. **So what's the process?** The first step would be for the Minuteman School Committee to vote to incur the debt and to hold a district-wide ballot. A simple majority vote is required in both cases. The next step would be to set a date and hold the election.
6. **What quantum of votes is required for the School Committee to issue debt?** A simple majority vote is required.
7. **What quantum of votes is required for the School Committee to call for a district-wide ballot?** A simple majority vote is required.
8. **The election must cost money to run. Who pays for it?** The school district pays for it. In this case, Minuteman would pay for the printing of ballots, poll workers, police officers, constables, and other expenses related to the election.

9. **How much money are we talking about?** Franklin County expected to pay about \$60,000 for the district-wide ballot in its 19 member towns. Bay Path paid approximately \$48,000 for the district-wide ballot in its 10 member towns. We expect that Minuteman would pay \$55,000-65,000 for the district-wide ballot in its 16 member towns.
10. **Where's the money coming from?** If the Minuteman district decides to hold a district-wide ballot, it will transfer funds from within its existing \$19.8 million budget to pay for the election. The district won't ask to increase its budget to pay for the district-wide ballot. A district-wide ballot will not increase assessments.
11. **Has this been cleared by district counsel?** Yes. Murphy, Hesse, Toomey & Lehane, LLP, Minuteman's counsel, has carefully reviewed the statute and is advising the school on the process that must be followed. We have also consulted with Atty. Rick Manley, Minuteman's bond counsel, and Atty. Thomas Kiley of Cosgrove, Eisenberg, & Kiley, P.C.
12. **Who picks the date for the district-wide ballot?** The Minuteman School Committee has the ultimate say, but will work with town clerks to select a date that is best for the most communities.
13. **Who writes the ballot question?** The actual wording will be drafted by Minuteman's bond counsel.
14. **How long is the election?** That's up to Minuteman. The law says that the election must be held on the same date, with uniform voting hours. The polls must be open for at least four (4) hours and no more than eight (8) hours. Again, the decision is made by Minuteman.
15. **Where do people vote?** That's up to Minuteman. The number and location of the polling place or polling places in each town are determined by the district School Committee after consultation with the selectmen. With their input, we would select a single location in each town.
16. **How are the votes counted? And how do you decide which side wins?** Election officials count and certify the votes in their individual towns. Those votes are added together. The aggregate count is what matters. The majority rules.
17. **So not every town needs to vote to approve?** No. What's important is the overall, aggregate vote total. Remember that this is a district-wide referendum to gauge the wishes of the entire Minuteman district, not just the wishes of voters in a particular town.
18. **In prior district-wide votes, have some towns voted against?** Yes. In 2012, seven (7) of the ten (10) towns in the Bay Path district in Central Massachusetts voted in favor of the

\$73.8 million renovation project. Three towns – North Brookfield, Oxford, and Paxton – voted against the ballot question by slim margins. Those three towns were still bound by the decision of the electorate to support the project.

19. **Who makes sure this is a fair election?** The Office of the Massachusetts Secretary of State, the Office of Campaign & Political Finance, the State Ethics Commission, and local election officials all will be monitoring the campaign and the outcome of the election.
20. **Can groups run organized campaigns for or against the district-wide ballot?** Yes, but they must abide by the requirements of state law.
21. **Can Minuteman employees take part in the campaign?** Yes, but only to the limited extent allowed by the Office of Campaign & Political Finance and the State Ethics Commission. Public employees cannot use their public positions or public resources to promote a ballot question. They can prepare newsletters concerning a ballot question but may not send them to the public, unsolicited. They can prepare news releases, but those releases need to be reviewed by OCPF. Public employees can inform voters about the date and place for an election but cannot make any comments on the merits of the ballot question when doing so.
22. **Does this rule apply to everyone?** As a general matter, policy makers such as members of the School Committee and Superintendent have more latitude. However, they still cannot use public funds to support or oppose a ballot question.
23. **Can Minuteman employees serve on a campaign committee?** Yes. Public employees can serve on a campaign committee, but cannot solicit money or serve as the committee's treasurer. On their own time and their own dime, they can do what other citizens do. For example, they can write a Letter to the Editor, supporting or opposing a ballot question. They can contribute money in their own name to a ballot question committee.
24. **How will Minuteman employees know what they can do – and what they cannot do?** The school administration will provide employees with written guidance from the school's lawyers. It will also make sure that the Office of Campaign & Political Finance holds a training or provides written materials for all employees.
25. **Why not just go the "traditional" route and ask Town Meetings for approval?** Good question. First, it's extremely time-consuming. The district would need to convince voters in 16 separate towns – with 16 very different constituencies – to approve the project. This will literally take months, perhaps longer. Second, the Town Meeting route requires unanimity. That is, if even one Town Meeting says "no," the project stalls. Third, there is a real sense of urgency here. Multiple engineering studies have cited serious problems with the building. The New England Association of Schools & Colleges (NEASC) has placed Minuteman on "warning" status solely due to the building.

Minuteman and the Massachusetts School Building Authority (MSBA) have been engaged in a feasibility study since 2009. This may be the longest feasibility study in MSBA history. Time is running out.

26. **What are the advantages of using a district-wide ballot instead?** There are many. It's been used before. It gives every voter in the district an opportunity to be heard. It's completed in one day. Most important, it gets us approval in a timely fashion that would secure state funding through the Massachusetts School Building Authority (MSBA).
27. **Is there a minimum number of voters – or percentage of voters -- who need to go to the polls to make a district-wide election valid?** No.
28. **What happens if the ballot question is approved?** The project moves ahead. Assessments to pay the debt move ahead consistent with the terms of the Regional Agreement.
29. **What happens if the ballot question is not approved?** A couple of options are available. The district could submit it to Town Meeting. The district could try another district-wide ballot. All options would need to occur within the MSBA deadline of June 30, 2016.