

MINUTES – WAYLAND SCHOOL COMMITTEE  
Special Meeting – June 3, 2015

A Special Meeting of the Wayland School Committee was held on Wednesday, June 3, 2015, at 8:30 A.M. in the School Committee Room of the Wayland Town Building.

Present were:

Ellen Grieco, Chair  
Donna Bouchard  
Jeanne Downs  
Kathie Steinberg

Absent:

Barb Fletcher

Also:

Paul Stein  
Superintendent

Brad Crozier

Assistant Superintendent

Susan Bottan

Business Administrator

Also:

Gini Tate, Esq.

Chair Ellen Grieco convened the Special Session at 8:33 a.m. and announced that the meeting is being taped by WayCAM. Ellen informed the audience that public comment would be moved to the end of the meeting.

1. **Special Matter:**

- (a) Discussion of Process to be Followed by the School Committee in Responding to Claims made by the Wayland Athletic Director during Public Comment Discussion at the Wayland School Committee Meeting of May 26, 2015:

Ellen noted that School Counsel Gini Tate is present at this meeting. Ellen commented that there are various alternatives in which to approach this matter, and it is important to understand that privacy rights are at hand and there is a confidentiality issue related to Stephen Cass and his comments involving other employees of the Wayland Public Schools.

Ellen noted the alternatives as follows:

- Refer Mr. Cass's letter with the claims and allegations made and refer it to the proper state authorities (Gini Tate can advise in this regard);
- The administrative staff could pursue their usual investigation of these claims;
- The School Committee could hire someone for a fee to investigate this matter.

Ellen asked the School Committee members for their ideas and input. In response to a question related to the responsibilities of the School Committee in terms of Mr. Cass's performance review, Gini Tate commented that, under Massachusetts law, the School Committee has no authority to look at the review, as the responsibility rests with the Superintendent and the Principal. However, the Committee can control and guide the performance evaluation of the Superintendent and the Business Administrator only.

The Committee discussed what authority the Committee can take in this regard, since this is a personnel issue. Gini Tate recommended that the School Committee refer this matter and send Mr. Cass's letter to the appropriate agencies for further investigation and to render a decision. Gini noted that any Title IX allegations should be referred to the Office for Civil Rights in the Department of Education and conflict of interest allegations made regarding abuse of funds should be referred to the State Ethics Commission.

MINUTES – WAYLAND SCHOOL COMMITTEE  
Special Meeting – June 3, 2015

Gini also recommends that included in the letters to the state agencies, they be encouraged to contact Mr. Cass for more information, if needed.

Gini further commented on the Conflict of Interest Law and criminal statute as it relates to this matter. A discussion ensued about alleged allegations made in terms of the Collective Bargaining Agreement and the timeline from when the letter was received by the Superintendent up to the point of Gini Tate's advice today.

Ellen commented that she agrees with Gini Tate's advice regarding making referrals to the state agencies. Ellen also noted that Barb Fletcher has recused herself, as members of her family are involved in the Athletic Department. Kathie agrees with counsel's advice as well. Ellen advised Paul to continue his investigation and, if appropriate, to report back to the School Committee, while the Committee pursues contacting the appropriate state agencies. Paul supported Ellen's recommendations, including contacting and trusting the state agencies to investigate the nature and degree of the allegations made.

Jeanne commented that it is important to remember and keep in perspective during this process that the Wayland Public Schools employs a great staff who works to educate our kids.

The School Committee members shared their individual opinions and reasons in terms of next steps.

Upon a motion duly made by Ellen Grieco, seconded by Kathie Steinberg, the School Committee voted unanimously (4-0) to consult with Attorney Gini Tate about the appropriate agencies to refer the letter received from Mr. Cass and that the Committee follows through with those referrals.

Gini Tate agreed to be the point person in terms of contacting the agencies, notifying the Committee of any contact from the agencies, as well as any information that is provided to the agencies.

The general process in terms of notifying the School Committee regarding alleged allegations of wrongdoing will be discussed at the June 22<sup>nd</sup> meeting.

- (b) Discussion of Parameters for Release of Information related to Claims made by Wayland Athletic Director: The Committee discussed its parameters or limits of what can be said publicly related to personnel records and personnel matters in terms of the claims made by Mr. Cass and other individuals. Ellen noted that one concern is defamation of character; thus, it is recommended that public statements are not made in the interest of following the law, to allow the agencies to conduct an investigation, and to protect the reputations of school employees. However, an individual can be present with an attorney during Executive Session.

Gini advised the Committee not to respond to questions that may be asked of them, as it is a matter of an individual's right to privacy, their right to be free from certain allegations, and their right, if a WTA member, for the Union to represent them. Further, Gini recommended that the agencies conduct their investigation, so they can report back with facts.

*Gini Tate left the meeting at 9:04 a.m.*

2. **Comments from the Public:**

George Harris congratulated the Committee on reaching their decision in this process. However, in his opinion, a decision should have been made a month ago by the Superintendent, as this matter could be subject to a whistle blower lawsuit. He also referred to the delay in the pending METCO investigation. George commented that the Committee needs to assure the community that proper steps are being taken and questioned the Committee's policies in terms of reporting legal matters to the proper authorities without having to retain legal counsel.

MINUTES – WAYLAND SCHOOL COMMITTEE  
Special Meeting – June 3, 2015

In Peggy Patton's opinion, there is a history of procedures and policies that were not forthcoming by the School Committee. She appreciates that this most recent matter has now been brought out into the open, but does not agree that the administration should conduct its own investigation.

Another resident agreed to an investigation by state agencies, especially related to matters of Title IX alleged violations. She is a Title IX investigator and believes these matters should be given to the Office of Civil Rights instead of conducting an internal investigation.

3. **Adjournment:**

Upon a motion duly made by Ellen Grieco, seconded by Jeanne Downs, the School Committee voted unanimously (5-0) to adjourn the Special Session at 9:09 a.m.

Respectfully submitted,

Paul Stein, Clerk  
Wayland School Committee

Observers:

George Harris, Wayland

Peggy Patton, Wayland

Margo Melnicove, Wayland

There were other residents who did not sign in.

Corresponding Documentation:

1. Agenda