

MINUTES – WAYLAND SCHOOL COMMITTEE

Executive Session – September 8, 2015

An Executive Session of the Wayland School Committee was held on Tuesday, September 8, 2015, at 12:19 A.M. in the School Committee Room of the Wayland Town Building.

Present were:

Ellen Grieco, Chair
Barb Fletcher, Vice Chair
Donna Bouchard
Jeanne Downs
Kathie Steinberg

Also:

Paul Stein
Superintendent

Brad Crozier
Assistant Superintendent

Marlene Dodyk
Director of Student Services

Susan Bottan
Business Administrator

Diane Marobella
Recording Secretary

1. Executive Session:

Subsequent to a roll call vote in Regular Session on a motion made by Ellen Grieco, seconded by Barb Fletcher, the School Committee voted (5-0) to enter Executive Session at 12:19 a.m. for the purpose of discussing strategy with respect to threatened litigation under Title IX Anti-Retaliation Provisions and M.G.L. c. 149, §185, by the former Athletic Director against the Wayland Public Schools and the School Committee, as permitted by M.G.L. c. 30A, §21(a)(3), as such discussion in open meeting may have a detrimental effect on the litigation position of the School Committee and an Executive Session is necessary to protect the litigation position of the School Committee; discussing strategy with respect to pending litigation under 42 U.S.C. 1983 and other statutes by John Doe against the Wayland Public Schools and the School Committee, as permitted by M.G.L. c. 30A, §21(a)(3), as such discussion in open meeting may have a detrimental effect on the litigation position of the School Committee and an Executive Session is necessary to protect the litigation position of the School Committee; discussing strategy with respect to threatened litigation under M.G.L. c. 258 by John Doe against the Town of Wayland, as permitted by M.G.L. c. 30A, §21(a)(3), as such discussion in open meeting may have a detrimental effect on the litigation position of the Town of Wayland and an Executive Session is necessary to protect the litigation position of the Town of Wayland; reviewing executive session minutes related to Attorney General's decision 2015-99 regarding George Harris's Open Meeting Law Complaint of September 15, 2014 and Richard Lodge's Open Meeting Law Complaint of November 24, 2014 and possible declassification of related minutes, pursuant to M.G.L. c. 30A, §22; reviewing August 28, 2014 executive session minutes related to George Harris's Open Meeting Law complaint dated August 5, 2015 and possible declassification of related minutes, as permitted by M.G.L. c. 30A, §22; and approving minutes from prior executive sessions, as permitted by M.G.L. c. 30A, §22, for the following meetings: August 6, 2015 and August 17, 2015. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Ellen Grieco, Chair	X	
Barb Fletcher, Vice Chair	X	
Donna Bouchard	X	
Jeanne Downs	X	
Kathie Steinberg	X	

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The School Committee will be joined by Paul Stein, Superintendent of Schools, Brad Crozier, Assistant Superintendent, Marlene Dodyk, Director of Student Services, Susan Bottan, Business Administrator, and Diane Marobella, recording secretary.

The School Committee will reconvene in open session to conduct regular matters as noted on the meeting notice.

The Executive Session agenda was taken in reverse order, as Barb recused herself from Agenda Item 10(a).

2. Approval of Minutes, pursuant to M.G.L. c. 30A, §22:

Upon a motion duly made by Ellen Grieco, seconded by Donna Bouchard, the School Committee voted (4-0-1) to approve the August 17, 2015 Executive Session minutes, as amended. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Ellen Grieco, Chair	X		
Barb Fletcher, Vice Chair			X
Donna Bouchard	X		
Jeanne Downs	X		
Kathie Steinberg	X		

The Committee was not prepared to approve August 6, 2015 Executive Session minutes and will be approved at the September 21st meeting.

3. Review August 28, 2014 Executive Session Minutes related to George Harris's Open Meeting Law Complaint Dated August 5, 2015 and Possible Declassification of related Minutes, pursuant to M.G.L. c. 30A, §22:

The School Committee reviewed the August 28, 2014 minutes. The School Committee agreed that they will be released with a change in redactions.

Upon a motion duly made by Ellen Grieco, seconded by Donna Bouchard, the School Committee voted to remove the redaction related to agenda item #7 from the August 28, 2014 minutes. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Ellen Grieco, Chair	X	
Barb Fletcher, Vice Chair	X	
Donna Bouchard	X	
Jeanne Downs	X	
Kathie Steinberg	X	

4. Review Executive Session Minutes related to Attorney General's Decision 2015-99 regarding George Harris's Open Meeting Law Complaint of September 15, 2014 and Richard Lodge's Open Meeting Law Complaint of November 24, 2014, and Possible Declassification of Related Minutes, pursuant to M.G.L. c. 30A, §22:

The School Committee discussed and reviewed the related minutes listed on the agenda for possible redactions and release. Barb commented that Town Counsel recommended the retention of some redactions related to the mentioning of a state agency; everything else can be released. It was recommended by Donna that just the state agency's name be redacted. Ellen will consult with Town Counsel again.

5. Discuss Strategy with Respect to Threatened Litigation under M.G.L. c. 258 by John Doe against the Town of Wayland, pursuant to M.G.L. c. 30A, §21(a)(3):

REDACTED

6. Discuss Strategy with Respect to Pending Litigation under 42 U.S.C. 1983 and other Statutes by John Doe against the Wayland Public Schools and the School Committee, pursuant to M.G.L. c. 30A, §21(a)(3):

REDACTED

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Paul noted that he issued a statement, and has been instructed by the attorney not to discuss this case. Going forward, Jeanne recommended that a process be put in place allowing Paul to inform and update the School Committee about possible litigation.

Barb left the meeting at 12:45 a.m.

7. Discuss Strategy with Respect to Threatened Litigation under Title IX Anti-Retaliation Provisions and M.G.L. c. 149, §185, by the Former Athletic Director against the Wayland Public Schools and the School Committee, pursuant to M.G.L. c. 30A, §21(a)(3):

Before any discussion ensued, the School Committee discussed whether they can discuss this matter tonight or postpone to the next meeting due to conflicting opinions regarding the purpose of the statute cited on the agenda. Ellen drafted the agenda item based on legal counsel's advice. However, Donna disagreed and related her conversation with the Attorney General's office.

The Committee and administrators discussed employees' rights in terms of confidential reports resulting from an administrative review completed by Brad. [REDACTED]

It was unanimous among Committee members that Brad should distribute his four confidential reports to the Committee. The Committee received Susan's report before the meeting.

The Committee will continue its discussion regarding this matter on September 21st.

8. Adjournment:

Upon a motion duly made by Ellen Grieco, seconded by Donna Bouchard, the School Committee voted unanimously (4-0) to adjourn the Executive Session at 1:21 A.M. A roll call vote was taken as follows:

<u>Roll Call</u>	<u>Yes</u>	<u>No</u>
Ellen Grieco, Chair	X	
Barb Fletcher, Vice Chair	absent	
Donna Bouchard	X	
Jeanne Downs	X	
Kathie Steinberg	X	

Respectfully submitted,


Paul Stein, Clerk
Wayland School Committee

Corresponding Documentation:

1. Attorney General's Decision 2015-99
2. Executive Session Minutes

- * January 6, 2014
- * January 9, 2014
- * January 13, 2014
- * January 16, 2014
- * January 21, 2014
- * January 27, 2014
- * February 3, 2014
- * March 24, 2014

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3. Executive Session Minutes of August 6, 2015
4. Executive Session Minutes of August 17, 2015
5. Title IX Report Completed by Susan Bottan
6. Administrative Reviews with Four Employees Completed by Brad Crozier DO NOT RELEASE