

Chariho School Committee Meeting
Regular Session Minutes – September 12, 2023

Committee Members Attendance: Chair Catherine Giusti, Vice Chair Karen Reynolds, Donna Chambers, Tyler Champlin (arrived at 7:00 PM), Kathryn Colasante, Polly Hopkins, Craig Louzon, Linda Lyall, Andrew McQuaide, Larry Phelps, Patricia Pouliot and Jessica Purcell.

Administrators and Others Attendance: Superintendent Gina Picard, Assistant Superintendent Michael Comella, Director of Administration and Finance Ned Draper, High School Principal Andrea Spas, High School Assistant Principal Jean Bradanini, Systems Administrator Eric O'Brien, Attorney for the School Committee Jon Anderson, Richmond Police Chief Elwood Johnson and School Committee Clerk Donna Sieczkiewicz.

I. Meeting Call to Order/Pledge of Allegiance/Silent Meditation

Chair Catherine Giusti called the meeting of the Chariho School Committee, held in the Chariho High School Library, to order at 6:01 PM. She asked all to please stand for the Pledge of Allegiance and a moment of silence.

II. Motion/Vote to go into Executive Session

Craig Louzon made a motion, seconded by Andrew McQuaide and it was

VOTED: That the School Committee go into executive session and close the meeting to the public under the authority of R.I. General Laws Section 42-46-5(a)(2) for the purpose of discussion pertaining to collective bargaining (1. Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Pertaining to Article 12A – Non-Teaching Duties and 2. Memorandum of Agreement Between the Chariho Regional School District and NEA Chariho Education Support Professionals pertaining to Article 19.1 (Non-Bargaining Unit Employees) and Appendix A); under the authority of R.I. General Laws Section 42-46-5(a)(2) for the purpose of discussion pertaining to litigation/legal update (1. Approval of Executive Session Minutes of August 8, 2023 - C.A. No. PC-2019-10870 – Town of Barrington, et al. v. Barrington School Committee et al.; 2. Approval of Executive Session Minutes of August 8, 2023 - C.A. No. WC-2022-0349 - Scott Perrin, Individually and as Executor of the Estate of William Perrin v. Town of Richmond et al. and 3. The Robinson Green Beretta Corporation v. Chariho Regional School District, through its Chair, Linda Lyall – C.A. No. PC-2021-06474); under the authority of R.I. General Laws Section 42-46-5(a)(3) for the purpose of discussion regarding the matter of security including but not limited to the deployment of security personnel or devices (1. Approval of Executive Session Minutes of August 8, 2023 - SRO Body Cameras; 2. Memorandum of Understanding Between the Chariho Regional School District and the Richmond Police Department Pertaining to the School Resource Officer Program (SRO Body Cameras); 3. Approval of Executive Session Minutes of August 8, 2023 - Approval of Emergency Operations Plans) and under the authority of R.I. General Laws Section 42-46-5(a)(8) for the purpose of reviewing and/or approving matters which relate to the privacy of students and their records (1. Approval of Executive Session Minutes of August 8, 2023 – Approval of Home Instruction Requests and 2. Approval of Home Instruction Requests and 3. Rescinding of Home Instruction Requests); any persons to be discussed have been so notified. In favor: Unanimous (Champlin was not in attendance for the vote).

III. Reconvene Open Session/Pledge of Allegiance/Silent Meditation

Chair Giusti reconvened the meeting at 7:05 PM and asked all to please stand for the Pledge of Allegiance and a moment of silence.

IV. Closing/Sealing of Executive Session Minutes

1. Superintendent Picard recommended that minutes regarding the matter of security (Memorandum of Understanding Between the Chariho Regional School District and the Richmond Police Department) remain sealed.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was

VOTED: That minutes regarding the matter of security (Memorandum of Understanding Between the Chariho Regional School District and the Richmond Police Department) remain sealed. In favor: Chambers, Colasante, Giusti, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds. Abstained: Champlin. The motion carried by a vote of 10 in favor with 1 abstention (Hopkins was not in attendance for the vote).

2. Superintendent Picard recommended that minutes pertaining to litigation/legal update (The Robinson Green Beretta Corporation v. Chariho Regional School District, through its Chair, Linda Lyall – C.A. No. PC-2021-06474) remain sealed.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was

VOTED: That minutes pertaining to litigation/legal update (The Robinson Green Beretta Corporation v. Chariho Regional School District, through its Chair, Linda Lyall – C.A. No. PC-2021-06474) remain sealed. In favor: Chambers, Colasante, Giusti, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds. Abstained: Champlin. The motion carried by a vote of 10 in favor with 1 abstention (Hopkins was not in attendance for the vote).

3. Superintendent Picard recommended that minutes pertaining to collective bargaining (Memorandum of Agreement between the Chariho Regional School District and NEA Chariho pertaining to Article 12A – Non-Teaching Duties) remain sealed until such time as an agreement is reached.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was

VOTED: That minutes pertaining to collective bargaining (Memorandum of Agreement between the Chariho Regional School District and NEA Chariho pertaining to Article 12A – Non-Teaching Duties) remain sealed until such time as an agreement is reached. In favor: Chambers, Colasante, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds. Abstained: Champlin. The motion carried by a vote of 11 in favor with 1 abstention.

4. Superintendent Picard recommended that minutes pertaining to collective bargaining (Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Education Support Professionals pertaining to Article 19.1 – Non-Bargaining Unit Employees) remain sealed until such time as an agreement is reached.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was

VOTED: That minutes pertaining to collective bargaining (Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Education Support Professionals pertaining to Article 19.1 – Non-Bargaining Unit Employees) remain sealed until such time as an agreement is reached. In favor: Chambers, Colasante, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds. Abstained: Champlin. The motion carried by a vote of 11 in favor with 1 abstention.

5. Superintendent Picard recommended that minutes pertaining to the privacy of students and their records (Approval/Rescinding of Home Instruction Requests) remain sealed.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was

VOTED: That minutes pertaining to the privacy of students and their records (Approval/Rescinding of Home Instruction Requests) remain sealed. In favor: Chambers, Colasante, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds. Abstained: Champlin. The motion carried by a vote of 11 in favor with 1 abstention.

V. Disclosure of Executive Session Votes

Vice Chair Reynolds reported there were eight votes taken in executive session. The first vote, approval of executive session minutes of August 8, 2023 – SRO Body Cameras, passed by a vote of 10 in favor with 1 abstention with Chambers, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor and Colasante abstaining.

The next vote, approval of executive session minutes of August 8, 2023 – Town of Barrington, et al.), passed by a vote of 10 in favor with 1 abstention with Chambers, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor and Colasante abstaining.

The next vote, approval of executive session minutes of August 8, 2023 – Perrin Estate, passed by a vote of 10 in favor with 1 abstention with Chambers, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor and Colasante abstaining.

The next vote, approval of executive session minutes of August 8, 2023 - EOPs, passed by a vote of 10 in favor with 1 abstention with Chambers, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor and Colasante abstaining.

The next vote, approval of Home Instruction Requests, passed by a vote of 11 in favor with Chambers, Colasante, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor.

The next vote, rescinding of Home Instruction Requests, passed by a vote of 10 in favor with 1 opposed with Chambers, Colasante, Giusti, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor and Hopkins opposing.

The next vote, approval of executive session minutes of August 8, 2023 – Home Instruction Requests, passed by a vote of 10 in favor with 1 abstention with Chambers, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor and Colasante abstaining.

The last vote, to return to open session, passed with Chambers, Colasante, Giusti, Hopkins, Louzon, Lyall, McQuaide, Phelps, Pouliot, Purcell and Reynolds voting in favor.

VI. Recognition – The following were congratulated/thanked:

1. CALA Elementary Special Educator Adrienne Buckley was selected to receive the Rhode Island Environmental Education Associations' 2023 Teacher of the Year Award for her partnership with Maisy's Tree Farm.

2. District Teacher of the Year Tricia Abbott and District Education Support Professional (ESP) of the Year Kerri Fisher were in attendance. Tricia noted it was truly an honor to represent Chariho as District Teacher of the Year. She provided an overview of her history with Chariho and noted she was a Chariho graduate. She commented on how she is surrounded by the best educators, administrators and staff and invited all to visit her Kindergarten classroom. This is her "happy place". She also thanked the School Committee. Gina noted that Tricia does a year-end performance with her students and it is always about her students. She represents the best across the State and will be honored at Waterfire in Providence on Saturday, September 30th at 4:45 PM. All are welcome to attend. Gina then provided a few comments about Kerri Fisher. Kerri was the first person you met when you came into the Administration Building. She is a team player; an amazing employee who has a wealth of information.

3. Distinguished Educators: Certified Staff: Paige Leddy, Kelly DiCocco and Tammy Lyons. ESP Staff: Paula Whalen, Amy Heywood-Balicki, Deborah Dawkins, Stacey King and Amy Branconnier.

4. District Attorneys Jon Anderson and Sean Clough have been recognized by *Best Lawyers*, in conjunction with US News & World Report, in the Providence metro region. They were selected based entirely on peer review, capturing the consensus opinion of leading lawyers about their professional abilities of their colleagues within the same geographical area and legal practice area. Jon was recognized as a *Best Lawyer* for the practice area of Education Law and Sean was included in *Ones to Watch* for Education Law.

5. A special thanks to High School Students Lucie May, Regan Clark and Lilian Raboin for performing the National Anthem and Albert and Lucie May for handling the sound and tech for Convocation.

6. Postseason Awards: High School Baseball – Alan Carpenter (1st Team Division II-D - led Division II in batting average .479 with no strikeouts); Adam Carpenter (1st Team Division II-D and Cy Young Winner Division II); Jack Stevens (1st Team Division II-D); Landon Sumner, Kyle McGovern and Caden Babcock (2nd Team Division II-D).

High School Boys' Volleyball – Matt Tiernan (Division I All-State 1st Team, Player of the Year and nominated for All-America); James Azzinaro (All-State 2nd Team and 2nd Team Division I); Travis Plante-Mullen (Division I Honorable Mention).

High School Boys' Track – Eli Sposato (Southern Division 1st Team and All-State); Eli Sposato, Will Steere, Austin Thorp and Ethan McCann (Southern Division 2nd Team 4x400 Relay); Ian Clark (Southern Division 1st Team, Southern Division 2nd Team and Class B 2nd Team).

High School Girls' Track – Erin von Housen (1st Team All-State 3000 meters, 1st Team All-Class 800 meters, 2nd Team All-Class 1500 meters, 3rd Team All-Division 800 meters and 2nd Team All-Division 1500 meters); Weeko Thompson (3rd Team All-Class Discus, 2nd Team All-Class Shot Put, 1st Team All-Division Discus and 2nd Team All-Division Shot Put); Brooke Kanaczet (3rd Team All-Class 800 meters); Emily Brown (3rd Team All-State 300 Hurdles, 3rd Team All-Class 300 Hurdles and 3rd Team All-Division 300 Hurdles).

7. Senior Alexis Cole recorded her 1,000th career assist for the Chariho Girls' Volleyball Team last night in their win against East Greenwich in Division I-B.

VII. Public Forum

Chair Giusti noted that Andrew McQuaide was the only person who signed up to speak. Andrew stated, for those who are not familiar, Convocation at Chariho is a time-honored tradition in which we come together as a school district; all staff, all administration and all School Committee members are invited. It really is, for him, a highlight of our school year, each and every school year. He wanted to first thank the administrative team who put it together. He thought it was a wonderful event as always. The Middle School looked the best it ever looked for a Convocation so thank you to the entire team and to those students who were recognized today. In addition, it gives him no pleasure to also acknowledge and request that Committee members remain mindful that we are public officials and when we are at activities like Convocation, understandably our actions are observed and several things were observed of two Committee members. While we were at Convocation, two Committee members were observed not clapping while the remainder of the auditorium clapped for recognition of our Educator of the Year and Support Professional of the Year. Secondly, when our keynote speaker at the start, shifting from our celebratory activities to our keynote address, engaged in a brief breathing exercise, instead of participating or choosing to silently not participate, one member was audibly speaking and could be heard by those around them saying specifically, "What is she going to have us do next, walk on hot coals?" And lastly, a member was observed taking photos of the keynote speaker and posting those on Facebook, seemingly missing the point of the keynote address which was really the importance of educators making a connection with their students and the role that making a connection with students plays in strengthening the quality of education that our students receive. Unfortunately, it seems that perhaps this individual was concerned about the use of words like "cultural responsiveness". Again seemingly missing the context and the example that was used in which the keynote spoke about if she was in a classroom and she had six students that say were on a soccer field, that would be part of those students' culture and experience. So she would want or get to know, if she didn't know, more about soccer finding a way to connect that to the curriculum so again to make learning meaningful and interesting to students. So a friendly reminder, as School Committee members we are public officials and as public officials we are appropriately observed. And to the extent that any of these actions took away from any aspect of Convocation, he deeply apologizes to the administration and all staff present that day but ultimately this day, Convocation, is not about any one individual School Committee member or as a body, it is about the incredible work our District does day in and day out. Thank you so much.

VIII. Policy

A. Secondary Grading Policy (Revision) – Superintendent Picard recommended approval of the revisions to the Secondary Grading Policy which has been reviewed by the Policy Subcommittee. Andrew made a motion, which was seconded by Craig, to approve the revisions to the Secondary Grading Policy. Larry asked if a student gets an 'F', do they still go to the next grade? Gina replied that they have to pass the class to which Larry asked "What about elementary or Middle School. They can do the bare minimum and still move on?" Gina noted that if you go to the Middle School section, it will tell you exactly what they need to pass. Larry again questioned what good does that do the kid if they get to do the bare minimum and still move on? Gina explained that they can't do the bare minimum. There are certain grades they have to get. If they don't pass the class, they don't get the credit. There are certain credits they have to get to which Larry said but they still move on. Gina continued. They can if they get the credit. They don't get held back for one class but they have to make up the credit. Karen questioned if a yearly average for English at the Middle School is a failing grade, does the student do summer school or credit recovery? Is there an option for them to make up that class so they can move on to the next grade? Gina noted that they don't typically do summer school. They meet with parents whenever a student is failing. Parents have a say in this based on the overall review of the student's academics. There is a list of criteria in the Retention Policy that reviews this. At the High school they have to get the credits. Kathryn asked, referring to Multiple Assessment Opportunities and students who meet reassessment criteria, what is to be met? Gina replied that the student must make an attempt to complete the assignment(s). She stated another concern, we know how human nature can be, how do you motivate students to do their best work if they know they get another chance. Gina noted that sometimes a student will stay after for extra help. Students are not all ready at the same time. One student may understand the material faster than another student. We want to ensure that they understand the material. It is like a driver's test; you can take it again if you fail it. Parents can appeal if they feel a teacher is not being fair with

the reassessment piece. Kathryn felt this was not the answer to her question. What is the incentive if students know they can retake a test if they don't do well the first time? Andrea stated that it sounds like your question is more about student motivation to which Kathryn agreed it was. Andrea commented that it is very rare that a student is not motivated to do well the first time. They usually perform the first time around so they don't need to take it again. The reason they don't average the scores is because they want to capture a student's proficiency. Jessica Swain from Ashaway stated she is a parent of a student who had a medical event and she did not pass the first time. She had two weeks to retake it and she passed it. She noted that it appears the time frame to retake an assessment differs to which Andrea replied that certain departments have certain guidelines. Students are aware of the time frame. Tyler felt the policy was pretty well written. He questioned why an 'F' is a grade from 50-69; they can't get a '40'? The Superintendent responded that there is research to support our lowest grade of '50'. Jean added that on individual assignments students can score a '40' or lower but the average at the end of a quarter is no lower than a '50'. Karen explained that there is a bigger gap from 0-50 so a student has to work much harder to pass. This way they are trying to give the kids the best benefit without sinking them before they get out of the gate. The goal is for the student to be successful. Tyler stated he gets it but doesn't mean he has to like it.

Andrew McQuaide made a motion, seconded by Craig Louzon and it was
VOTED: To approve the revisions to the Secondary Grading Policy. In favor: Unanimous.

IX. Business

A. Field Trip Request(s) – Superintendent Picard recommended approval of the following contingent upon compliance with policy:

1. Request of Coach Bill Haberek for 32 students and 10 chaperones to travel to the Manhattan College Invitational in Van Courtlandt Park, NY from October 13, 2023 to October 14, 2023. Craig noted that he was able to attend this field trip for six years and it is awesome so he is 100% in favor of this. Karen added that she has been on the trip twice. All agreed that Mr. Haberek is a wonderful coach.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was
VOTED: To approve the field trip request of Coach Bill Haberek for 32 students and 10 chaperones to travel to the Manhattan College Invitational in Van Courtlandt Park, NY from October 13, 2023 to October 14, 2023. In favor: Unanimous.

B. Memorandum of Understanding Between the Chariho Regional School District and the Richmond Police Department Pertaining to the School Resource Officer Program (SRO Body Cameras – Superintendent Picard recommended approval of the Memorandum of Understanding Between the Chariho Regional School District and the Richmond Police Department pertaining to the School Resource Officer Program (SRO Body Cameras).

Andrew McQuaide made a motion, seconded by Karen Reynolds and it was
VOTED: To approve the Memorandum of Understanding Between the Chariho Regional School District and the Richmond Police Department pertaining to the School Resource Officer Program (SRO Body Cameras). In favor: Unanimous.

C. Legal Counsel Agreement – Superintendent Picard recommended approval of the Legal Counsel Agreement between the Chariho Regional School District Committee and Brennan, Recupero, Cascione, Scungio & McAllister, LLP from July 1, 2023 through June 30, 2024. Craig made a motion, which was seconded by Andrew, to approve the Legal Counsel Agreement between the Chariho Regional School District Committee and Brennan, Recupero, Cascione, Scungio & McAllister, LLP from July 1, 2023 through June 30, 2024. Linda stated that she has had a number of opportunities to work with Attorney Anderson on both contracts and he always has the District's best interest at heart. He is fair to both sides and has been a great mentor to her. Settling the contracts was a long process and Jon has been available days, nights and weekends. He is a great asset to the District. Andrew noted that he was a part of the School Committee that hired Jon. Jon has consistently demonstrated superior knowledge and has minimized the exposure of the District. He was pleased to see the stellar award Jon received. Tyler commented that he was involved in negotiations and was pleased with the way Jon handled them while keeping the District in mind while also

the eye of the teachers in mind. How do the costs here compare with legal outside? Gina shared a spreadsheet listing legal costs per student in other districts. Tyler questioned if they could get something comparable salary wise and not per student costs. Gina stated that the deal Jon gives us is great. Phone calls are included and you won't find this with other lawyers. They charge for everything where this is a flat rate. Ned noted, from a value standpoint, opposite of an audit, over the years you have cases that can run 5-10 years. Yes, with an audit you want a fresh set of eyes but legal is different than an audit. You want a lawyer with knowledge of the case. Gina added that history is really important. She has worked with different legal counsels and to not be charged every time you reach out, is a benefit. Craig stated that the Committee has seen a fraction of what Jon does in executive session. You can't pay for his knowledge. The Committee chooses the Superintendent and the attorney and he is 100% voting in favor of Jon. Polly asked if it was a \$3,000 raise as a whole year is missing with no contract. Gina explained that when she began at Chariho, Jon's contract wasn't completed. They wanted to see how Gina played out and how well she and Jon could work together. It was not fair for her or Jon to ask for any additions while they were in negotiations; it was a nice gesture. Polly stated what bothers her is that in the new contract, he has separated out a legal case for a set amount extra per hour for any legal action. They have no idea how high that ceiling will go. She is 100% opposite of Craig. She wants to explore other options. Kathryn commented that she noticed the same thing as Polly noticed. It is no longer a flat rate for that case. She personally feels they could make a better decision if they could get from Mr. Draper what that amount will be. Tyler asked how many hours to date has this case taken (a ballpark) to which Jon responded at least 100. Tyler noted that he missed executive session so he assumes they will be putting in at least the same amount of hours if not more so his estimate is this could cost an additional \$25,000. He would be more comfortable with putting a cap on that – not to exceed a certain amount. Linda stated that she would assume it will cost the District more in the long run if they go with a different firm that will need to be brought up to speed. What if Jon runs over the limit they place? Tyler was going to respond to Linda until Craig called for a point of order. He would like to go back to the way it should be when people raise their hands and are called on. He does not believe people should be able to interrupt to try to persuade someone to change their mind. Andrew stated that he believes the Committee can self-regulate. Agnostic of that, they can monitor what their experience will be this year. They certainly can make this prerogative. He is not happy with putting a cap on it. This underscores the institutional knowledge Attorney Anderson brings. We have a significant number of retirements this year; a lot of institutional memory that is leaving our organization. He is not happy changing attorneys. Donna agreed with Andrew. She has worked with Jon a long time and his track record speaks for itself. We are lucky to have him. Larry asked Jon if he was let go from a school system to which Chair Giusti instructed all that this was not pursuant to this District. Gina informed Jon that he did not need to answer that to which Jon responded he had no problem answering it. School districts have become very, very political. It has become a revolving door all over the State as to who the attorney will be. He then listed all the districts that have changed attorneys for political reasons. He is proud of the work he has done for Chariho and all of the Districts he has been employed by. Chair Giusti stated that she has been able to work with Jon for several years and is happy to support him. She noted the following: 1) she has never known Jon to steer us astray; 2) she and Jon have disagreed at times but have never had a personal disagreement and that speaks to the respect that she and Jon show one another and 3) he was awarded top lawyer by his peers which we had nothing to do with. They talk about him in educational circles and whether people like him or not, they respect the job Jon does for his districts. And finally, to be pointed about it, Jon Anderson saw the trouble that was coming that we had recently, that was decided by the Supreme Court, and he was right. She is very comfortable voting for this contract and she does not want to bargain hunt for legal opinions. Pat felt it was not a question about Jon but a question about the language in this contract versus the previous language. Donna stated the more she sits in these meetings, there apparently seems to be sidebar conversations they have to worry about. Chair Giusti called for a point of order. Donna noted she will keep it simple. Apparently there was information on Facebook regarding Jon's contract. She asked all to please be careful not to violate Open Meetings and limit their outside comments. Jessica noted that the last contract also had a case that was separate. Why are these cases called out specifically? Jon explained that some are out of what he ordinarily does. He talks with the District at least 4-5 times daily. These are more complicated cases. Labor negotiations fall into that category as well. You currently have contracts with both Unions so there will be zero funds used for this. The case that was removed has been resolved. You can self-monitor. You receive a copy of the bills the District covers. You can call the Superintendent or Mr. Draper ahead of time if you have a question. Polly questioned if the line item - \$86,000 for Attorney fees – is that over and above retainer fees? Ned replied that in the budget is one line item. We look at the bills to see if it is covered under the retainer. Over the last three years

we have been under budget and the only time it came close to budget was when we had negotiations. Based on the activity, he cannot say we will hit 100 hours. Gina added that is litigation; commitments we have to hold to which Ned added that in the operating budget, we have consistently come under budget. Polly then commented that every time the District has an issue with another school, if Jon represents them as well, we have to hire another attorney. Jon stated this has happened once in 15 years. He wanted to remind the School Committee that they have a back-up attorney that they selected – Attorney Jeff Sowa. He also represents other districts. Having a conflict with counsel is very common. Craig asked Jon, is the District just paying you or are they paying the firm to which Jon responded that this contract is with the firm. Someone from the firm will always be available.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was
VOTED: To approve the Legal Counsel Agreement between the Chariho Regional School District Committee and Brennan, Recupero, Cascione, Scungio & McAllister, LLP from July 1, 2023 through June 30, 2024. In favor: Chambers, Champlin, Giusti, Louzon, Lyall, McQuaide, Pouliot, Purcell and Reynolds. Opposed: Colasante, Hopkins and Phelps. The motion carried by a vote of 9 in favor with 3 opposed.

D. 2024 School Committee Calendar Revision – Superintendent Picard noted that she spoke with the Richmond Town Clerk and the ballots need to be separate for the Presidential Primary on April 2nd and the All-Day Referendum so to avoid confusion, she is recommending approval of the revision to the 2024 School Committee Calendar (All-Day Referendum moved from April 2, 2024 to April 9, 2024). Karen asked if there will still be a regular School Committee meeting that night to which Gina replied “yes”.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was
VOTED: To approve the revision to the 2024 School Committee Calendar. In favor: Unanimous.

E. Assignments to Subcommittees/School Safety Teams – Superintendent Picard noted that this item was tabled at the last meeting. Vacancies are indicated in red. Changes can be made to any subcommittees, School Safety Teams or School Improvement Teams. Donna noted that she would like to become a member of the Health and Wellness Subcommittee to which Jessica commented that she, too, was interested in this Subcommittee, the Policy Subcommittee and the Budget Subcommittee. As there are two School Committee members interested in the Health and Wellness Subcommittee, Linda requested to be removed. Craig questioned if the Chair needed to be on this Subcommittee to which Gina replied it does not need to be the Chair. The requirement is one School Committee member.

Andrew McQuaide made a motion, seconded by Craig Louzon and it was
VOTED: To appoint Donna Chambers to the Health and Wellness Subcommittee. In favor: Unanimous.

Tyler requested to be removed from the Audit Subcommittee and Finance Committee due to work and personal commitments. Tyler was removed from both.

Linda Lyall made a motion, seconded by Craig Louzon and it was
VOTED: To appoint Jessica Purcell to the Health and Wellness Subcommittee. In favor: Unanimous.

Andrew made a motion, which was seconded by Linda, to appoint Jessica to the Policy Subcommittee. Polly commented that she feels they should keep the subcommittees balanced between the towns (there are three Charlestown representatives on this subcommittee) to which Andrew responded that he does not see any division amongst towns. This is truly a collaborative subcommittee and he has no interest in asking another Charlestown representative to vacate their position.

Andrew McQuaide made a motion, seconded by Linda Lyall and it was
VOTED: To appoint Jessica Purcell to the Policy Subcommittee. In favor: Unanimous.

Andrew McQuaide made a motion, seconded by Craig Louzon and it was
VOTED: To appoint Jessica Purcell to the Budget Subcommittee. In favor: Unanimous.

Larry offered to fill the vacancy on the Middle School Safety Team.

Andrew McQuaide made a motion, seconded by Karen Reynolds and it was
VOTED: To appoint Larry Phelps to the Middle School Safety Team. In favor: Unanimous.

Chair Giusti stated that she would fill the vacancy on the Audit Subcommittee.

Andrew McQuaide made a motion, seconded by Craig Louzon and it was
VOTED: To appoint Catherine Giusti to the Audit Subcommittee. In favor: Unanimous.

Pat volunteered for the Policy Subcommittee. Andrew made a motion, which was seconded by Craig, to appoint Pat to the Policy Subcommittee. Chair Giusti noted that would mean there would be seven School Committee members on this subcommittee and this would make a quorum. Jon was asked for his opinion and he stated that this would then become a School Committee meeting. He would not advise to have seven members on a subcommittee. Linda stated she would remove herself from this subcommittee but doesn't understand why there needs to be a "balance". She added that someone else will need to take the minutes of the meetings as this was her job. Gina commented that when a person becomes a member of the Chariho School Committee, they are representing all students in Chariho, not just the students in their town. This subcommittee reports back to the entire School Committee so she does not see an issue. Andrew stated that he would prefer that Linda remain on the subcommittee as no one else has offered to take the minutes to which Donna added that she does not want Linda to leave so she will not support the motion to appoint Pat. Andrew pulled his motion and Craig pulled his second so no vote was taken. The subcommittee will be comprised of six School Committee members. Jessica noted that she would like to be added to the Richmond School Safety Team.

Andrew McQuaide made a motion, seconded by Craig Louzon and it was
VOTED: To appoint Jessica Purcell to the Richmond School Safety Team. In favor: Unanimous.

Karen volunteered to fill the second vacancy on the Audit Subcommittee.

Andrew McQuaide made a motion, seconded by Tyler Champlin and it was
VOTED: To appoint Karen Reynolds to the Audit Subcommittee. In favor: Unanimous.

Craig commented that the Food Service Contract Subcommittee hasn't met in a long time. He wanted Ned to know that they do usually have a meeting prior to contracts being renewed. Linda wanted all those who are serving on School Safety Teams know that an agreement was reached and they have to do a minimum of three observations.

F. School Committee's Rules of Conduct Review – This item was requested by several members. Tyler noted that this is not necessarily a policy but should it be reviewed by the Policy Subcommittee? Gina replied that State law requires School Committees to have Rules of Conduct that are specific to just School Committee Members. Linda commented that if they were to amend it, would this go to a subcommittee to which Gina responded "no" they would need to do this as a group. Tyler stated that while this could be a personal preference under Agenda development, the Chair has asked that Committee members send an email to her after they make a request for an agenda item. Do you still want both? Chair Giusti replied that while Committee members are not required to do both, she likes to have an email with the date on it. If someone has an aversion to sending her an email, please let her know. Polly stated that she believes she was the one who requested this way back in March when she had a concern about legal opinions and the fact that a majority vote of the School Committee was needed. Gina explained that the Rules of Conduct are for the School Committee. You don't operate individually; you operate as a body. If a member of the School Committee wants Jon's legal advice, the majority of the Committee has to agree. The situation you are talking about involved the Richmond Town Clerk informing her that Jessica was appointed and then we received word from the Town Clerk that the Town Council was appointing someone else. Jon has a responsibility to not put the District in a legal situation. If the Committee wants Jon to do something that is what this item is for. If the District needs Jon to do something, we do that all day long. Polly stated that she thinks the wires got crossed because Catherine had stepped forward and said that she had requested Jon. This is just going back and to explain why this is on the agenda for tonight. The Clerk explained that the Agenda is not Jon's Agenda, it is the School Committee's. It is Jon's responsibility to keep the District out of legal trouble. He

doesn't have to come to the Committee to request "can I do this". It is his job to do what he has to do to keep us out of trouble. Andrew was called on next but stated that the Superintendent and Clerk had already articulated what he was going to say. Craig stated that he is kind of glad someone put this on an agenda. It basically says Rules of Conduct but part of that – Section IV – there is something called "Ethics". All members of the School Committee are bound by the Code of Basic Management Principles and Ethical Standards for School Committee members. So let's go to that. Code of Basic Management Principles and Ethical Standards for School Committee members - #11 – Act only through public meetings since individual board members have no authority to bind the board; #15 – Render all decisions based on available facts and by informed, independent judgment other than by the influences of individuals or special interest groups. He thinks that some of the School Committee members have come pretty close to breaking these and he would hope that they all review these and see how they can start treading in the right direction. They shouldn't be representing families during Public Forum or appearing to represent families during Public Forum when they look at members looking for guidance. You know you can't act on behalf of the whole Committee. He thanked the Chair. Kathryn felt there was a misunderstanding and reiterated that yes certainly they are a School Committee and it is always the majority vote. No one has any individual authority collectively so that includes the Chair as well; any legal advice the administration seeks right? Chair Giusti stated that she doesn't know how to clarify it any better. When we go back to January, as the Superintendent pointed out, we had been told someone was being appointed. Very quickly thereafter we got an email saying that person was not going to be appointed and that email was sent to Jon by Donna and Jon offered a legal opinion. That's Jon's duty so whether or not she had a conversation with Jon, did not have a conversation with Jon or any interaction with Jon, that is Jon's job to offer a legal opinion. I know at that time there were some members who did not want Jon to offer anything but, in fact, it would have been a dereliction of Jon's duty not to offer an opinion. Further, it would be a dereliction of her duty, as Chair, to have information from our legal counsel that we were about to trip into a pothole and just keep that secret to myself. She stands by the decision that was made; Jon offered an opinion. Gina added that the District Clerk (Donna) reached out to Jon because she needed to know who she could give an executive session packet to. She puts herself at risk and a liability to the District if she hands over a packet – that was the original reason why she needed to know. If she provided information on a minor child to someone who is not supposed to get it that is a lawsuit. Kathryn just wanted to clarify with the Chair, to completely understand something, she thinks what was maybe misunderstood or maybe didn't communicate it right, you received a legal opinion; you didn't seek one so yes you had a right to receive it. No one School Committee member has a right to seek a legal opinion but you had a right to receive it. Donna Chambers, in reference to Craig's point about ethics, stated she is glad this is on the agenda and is probably one of the ones who requested it as she wanted to point out under Roman Numeral III under Communications Requests - #A – Outside the meeting setting, members should speak only for themselves. They should avoid giving the impression that they speak for the School Committee. Not just speak, but also sending letters to the editor. She believes this has been violated so be very careful. Polly commented that there was an ethics review of School Committee members representing their constituents and she can get a copy to others and that is exactly what they are empowered to do. When a constituent, a parent, a taxpayer – anyone in Hopkinton contacts her and says, "Hey, I have an issue going on at the school, this is what it is", there has already been an ethics filing for that and she has the response and that is exactly in line with the response. There's your answer and she will send it right to Craig so he can take a look at that. Second of all, she is glad Donna brought up School Committee members speaking for the entire School Committee and she noted she was sorry but Catherine went on the Dan York show and her comment was, on January 24th, she spoke to Dan York and six minutes in she said and Polly quoted, "He filed the injunction in Supreme Court. That's where it had to go because we are looking to remove someone from an office." So you made the audience aware that you were a Chair of a School Committee and you spoke about the School Committee as a "we" and she's not nitpicking, she's just saying...a point of order was called but Chair Giusti asked Polly to finish her comments. Polly state that she didn't bring it up at the time but she thought it pertained to this so maybe they could all use a little more caution around how we speak especially on statewide radio talk shows. Jon asked Polly to please share the Ethics Commission ruling with him as it does not reflect their duties as a School Committee member. If someone has a complaint about an administrator and wants them fired and a School Committee member or members act as an advocate for the parent, you can't give a fair hearing to the employee. You are the last point on the train. If you act as an advocate, you cannot give due process to employees. Andrew added that if a constituent has an issue, you offer them the basic chain of command. The School Committee is not the end of the road; they have other legal remedies. We have a responsibility to be responsive to our constituents but it is most helpful to follow the Chain of Command. Craig

noted that there is also an Appeals Policy that they should abide by. Ryan Callahan from Richmond noted that the Rules of Conduct also state that abstentions should only be used if there is a conflict, if a member is ignorant of the issue (lacks information to make an informed decision) or missed a meeting. He would encourage all to establish a position and vote their conscience. Kathryn wanted to know if anyone was interested in having a workshop to which Andrew noted there are professionals who work with School Committees to get bodies to be able to work effectively. They can ask the Chair to explore this if others are in favor of it. There is always room for improvement. This time on the School Committee has not been enjoyable for him to say the least. We all have to want to work in good faith. He would be interested in Kathryn's suggestion if others would be open to it. He then commented on the cross talk that goes on at meetings to which they are all guilty of. They have not made Chair Giusti's job easy. If they did a better job of self-regulating and follow the Rules of Conduct and Robert's Rules (i.e. before speaking, wait until you are called upon), it would make it easier for the Chair. Chair Giusti echoed Andrew's comments. She is trying to pay attention, to be compliant and she is doing the best she can, but she is hard of hearing in one ear so when there is cross talk, she doesn't hear anything. She wants to be an effective Chair and is happy to talk with any member if they have something they want to say to her. She is not above taking constructive criticism.

G. Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Pertaining to Article 12A – Non-Teaching Duties – Superintendent Picard recommended approval of the Memorandum of Agreement between the Chariho Regional School District and NEA Chariho pertaining to Article 12A – Non-Teaching Duties.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was VOTED: To approve the Memorandum of Agreement between the Chariho Regional School District and NEA Chariho pertaining to Article 12A – Non-Teaching Duties. In favor: Unanimous.

H. Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Education Support Professionals Pertaining to Article 19.1 (Non-Bargaining Unit Employees) and Appendix A – Superintendent Picard recommended approval of the Memorandum of Agreement between the Chariho Regional School District and NEA Chariho pertaining to Article 19.1 (Non-Bargaining Unit Employees) and Appendix A. Craig made a motion, which was seconded by Andrew, to approve this MOA. Andrew noted that this is in response, in part, to the fact that we now have eleven vacancies. We will have a savings related to this. We are trying to resolve the issue with vacancies. There is an inability to get people into these positions. Tyler noted that item #1 does not make sense. The words "of" and "the" need to be removed so it reads "it shall not be a violation for Chariho...". Craig and Andrew both agreed to add this to their motion.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was VOTED: To approve the Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Education Support Professionals Pertaining to Article 19.1 (Non-Bargaining Unit Employees) to include removal of the words "of" and "the" from item #1 so it reads "it shall not be a violation for Chariho...". In favor: Unanimous.

I. RICAS Scores Release Date - Andrew McQuaide requested that the District follow up on its communication to the Governor's office regarding the RICAS scores release date to mirror Massachusetts' schedule and if they do not want to do this, we are requesting that they provide an explanation as to why this cannot or will not be done. He will keep this short as he does not feel the Committee does its best work in a late hour. He feels it is highly inappropriate for RIDE to withhold this information as districts need this information to do their job. He looked at Massachusetts and they actually give specific dates as to when they will release data. He made a motion to direct the Chair, in coordination with the Superintendent, to communicate to the Governor and the Commissioner of Education our request that a timeline be set up for the release of RICAS data to districts that mirrors Massachusetts' schedule and if they do not want to do this or cannot do this, we are requesting that they provide an explanation as to why this cannot or will not be done. Craig seconded the motion. Andrew added that he would like this to go to General Assembly members, local legislators, Board of Regents and the Rhode Island Association of School Committees to be disseminated to all School Committees in the State. Chair Giusti agreed with Andrew's request to which Tyler added that he feels the letter should come from the entire School Committee.

Andrew McQuaide made a motion, seconded by Craig Louzon and it was VOTED: To direct the Chair, in coordination with the Superintendent, to communicate to the Governor and the Commissioner of Education our request that a timeline be set up for the release of RICAS data to districts that mirrors Massachusetts' schedule and if they do not want to do this or cannot do this, we are requesting that they provide an explanation as to why this cannot or will not be done. In favor: Unanimous.

Gina stated there is a need to revisit Item H – NEA ESP MOA - item #1 should say three “3” custodians, not one (1) custodian.

Andrew McQuaide made a motion, seconded by Tyler Champlin and it was VOTED: To revisit Item H - Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Education Support Professionals Pertaining to Article 19.1 (Non-Bargaining Unit Employees) and Appendix A. In favor: Unanimous.

Andrew McQuaide made a motion, seconded by Craig Louzon and it was VOTED: To change item #1 on the Memorandum of Agreement between the Chariho Regional School District and NEA Chariho Education Support Professionals Pertaining to Article 19.1 (Non-Bargaining Unit Employees) and Appendix A from one (1) custodian to three (3) custodians. In favor: Unanimous.

J. Printing of Paper Packets for School Committee Members – This item was requested by Chair Giusti. She stated that a request was made of her to allow the printing of paper packets due to a medical reason. She does not think those who made the motion or voted on it would have done so if they had realized there was a medical need for a paper packet. She is requesting the Committee vote to allow for the printing of paper packets for those who need it as she wants officials to be able to do their work. Donna clarified that it would be just for those who request it to which the Chair agreed. Craig stated that he remembers Tyler making this motion and his concern about it. He wanted all to know that he has gotten better using the computer and will not require a paper packet. Andrew agreed that he did not want to deny anyone the resources they need to do their job but he wanted to remind all that they made cuts to things administrators and staff wanted. We need to remember that they aren't getting what they requested and this will have an even greater impact if we freeze the budget. Not everyone gets what they want so they need to remind themselves that this same concept is applicable to them as well. Ned noted that the School Committee took specific action to cut this line item so you need to include in the motion a transfer of funds so copy costs are covered. Polly felt the District won't need \$1,000 that was budgeted as not everyone needs a packet. It was noted that the cost associated with this is more so to cover toner and printing fees and not the cost of paper.

Andrew McQuaide made a motion, seconded by Polly Hopkins and it was VOTED: To allow the printing of paper packets for those School Committee members who require one and approve the transfer of funds to cover this cost. In favor: Unanimous.

X. Consent Agenda Items

Chair Giusti requested items to be pulled. Tyler pulled D and E. Craig acknowledged the donations and thanked the donors.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was VOTED: To move the balance of the Consent Agenda Items. In favor: Unanimous.

A. Minutes – Approved the following:

1. Executive Session Minutes of August 8, 2023 – Approval of Executive Session Minutes of July 11, 2023 (minutes not sealed).

2. Regular Session Minutes of August 8, 2023.

B. Transfers – Approved.

C. Bill Review – Accepted

F. Personnel Actions

G. Permission to Issue Bids/Request Quote – Approved issuance of the following:

1. FY24 Architect Services RFQ

H. Permission to Award Contracts – Awarded the following:

1. FY24 IRS Section 125 Cafeteria Plan RFP to AFLAC as our employee paid voluntary benefits' provider.

I. Home Instruction – Action taken in executive session.

J. Grants – None at this time.

K. Donations – Accepted the following:

1. Donation of assorted school supplies, valued at over \$300, from the American Legion – Downey Weaver Post, Charlestown to Charlestown Elementary School.

2. Donation of \$2,420 from Friends of Chariho for the purchase of new books for the schools' libraries.

3. Donation from Substitute Teacher, Katherine Rosen, Westerly, RI, of \$549 to cover a one-year license for IXL (online resource for Math, ELA, Social Studies and Science) for the CALA Elementary Program. This donation was approved by Dr. Comella.

D. Budget Five Year Forecast – Craig made a motion, which was seconded by Andrew to move Item D – Budget Five Year Forecast. Tyler noted an issue when these documents are scanned as you cannot read the numbers. Ned noted that he will put them in a different format. Tyler noted a question on page 105 - \$2 million shortfall. Ned explained that is where various fund balances come into play. This is all sources, not just the operating budget. Tyler's next concern was on page 106 – Unassigned – this is the fund balance? Ned responded "yes". We can get into more detail in the Budget Subcommittee Meeting. Louise Dinsmore had a question on page 106 – Unassigned line 140. She thought the fund balance was more than \$2 million. Ned replied that was for FY23, not FY24. Louise asked, "So it is not projected to be \$2 million?" Ned responded "yes". Louise, referencing FY28 on page 106, the fund balance is just under \$900,000 yet the fund balance policy states you have to have 2.25% so \$1.8 million would be needed. Ned explained that the minimum required is 2% of the operating budget. The number may be light so we will need to discuss this during the budget process. 2% would not be \$1.8 million. This is an overall look at the policy. Louise followed with another question on the memo – FY23 to date results. Expenses are favorable over \$900,000 pending litigation, healthcare, etc. with the bulk due to vacancies. Do you have an estimate if the \$900,000 will go down? Ned felt that it would be in the ballpark of the \$900,000 range.

Craig Louzon made a motion, seconded by Andrew McQuaide and it was

VOTED: To move Item D – Budget Five Year Forecast. In favor: Unanimous.

E. Account Status Report – see FYI – No action was needed on this item as it was in the FYI section.

XI. Reports

A. Subcommittee Reports – None at this time.

B. Superintendent's Report

1. School Opening Updates – It was a very smooth opening. Virtual learning guidance remains the same. K numbers are Ashaway-40; Charlestown-44; Hope Valley-31 and Richmond-67.

2. Open Houses – A flyer with the dates was included in the packet.

C. Coming Events were highlighted.

XII. School Committee Requests for Future Agenda Items or Legal Opinions

Andrew requested, not necessarily for a future agenda, an update on the bridge closure on Kings Factory Rd. Has there been any communication with the Transportation Department?

Polly stated that her son, who does not ever complain, commented that the mats in the exercise room are horrid.

XIII. Adjournment

Andre McQuaide made a motion, seconded by Tyler Champlin and it was

VOTED: To adjourn at 9:29 PM. In favor: Unanimous.

Donna J. Sieczkiewicz, Clerk