Salem School Committee

Meeting Minutes

Monday, October 24, 2016

A regular meeting of the Salem School Committee was held on Monday, October 24, 2016 at 6:30 p.m. in the School Committee Chambers at Collins Middle School, 29 Highland Avenue, Salem, MA.

**Members Present**: Mayor Kimberley Driscoll, Dr. Brendan Walsh, Mr. James Fleming, Deborah Amaral, Ms. Mary Manning, Patrick Schultz, and Kristine Wilson.

**Members Absent:**  None

**Others Present**: Ms. Margarita Ruiz, Superintendent, Kate Carbone, Assistant Superintendent, Margaret Marotta, Assistant Superintendent, Business Manager Kristin Shaver, Chief of Systems Strategies Dr. Jill Conrad, and Chief of Communications Kelley Rice.

**Call to Order**

Mayor Driscoll called the Regular Meeting of the Salem School Committee to order at 6:30 p.m.

**Approval of the Agenda**

Mr. Fleming moved to approve the agenda as presented. Ms. Wilson seconded the motion. The motion carried.

**Approval of Minutes**

Mr. Fleming moved to approve the minutes of the September 6, 2016 Regular School Committee meeting as amended. Dr. Walsh seconded the motion. The motion carried.

**Questions and Comments from the Audience**

There were no questions of comments from the audience at this time.

**Action Items**

1. Deliberation and vote on the Clarification and/or the Recession of the vote taken on the Resolution to Not Raise the Existing Cap on Charter Schools in the Commonwealth of Massachusetts taken at the September 19, 2016 School Committee meeting.

Mr. Schultz moved to clarify for the record that the vote on the Resolution to Not Raise the Existing Cap on Charter Schools in the Commonwealth of Massachusetts taken at the September 19, 2016 School Committee meeting be clarified that the motion failed. Ms. Amaral seconded the motion.

Discussion:

Mayor Driscoll recalled that at the last meeting when the School Committee voted on the resolution she initially declared that the motion failed for lack of a majority and upon further discussion she determined that the motion carried. She explains that it was an error on her part and since then upon conferring with School Committee Counsel it has been determined that that was an error and in fact the motion failed according to School Committee policy which calls for a majority of the members present for the motion to carry. She requested that the School Committee clarify the vote or vote to rescind the motion.

Dr. Walsh stated that the motion on the agenda is confusing noting that it asks the School Committee to do one of two things and the School Committee usually acts on a motion which makes a difference and it needs to be discussed which he is prepared to do. He states that he has overwhelming evidence that this ruling is incorrect.

Mr. Fleming states that the action before the School Committee should be to reconsider or rescind.

Mayor Driscoll explains that the goal is to correct an erroneous mistake that she made at the previous meeting in declaring that the motion regarding the resolution to not lift the cap on Charter Schools in Massachusetts had passed with a 3-2-2 vote. She notes that she is not looking for a change in the vote and notes that we can correct errors of the Chair per Roberts Rules. She further states that it is important to get this right noting that the School Committee has spent a lot of time on this issue.

Dr. Walsh reviewed sections of Roberts Rules of Order latest edition and notes that it is what the Salem School Committee is required to follow. He reviewed the sections on voting, noting that when a quorum is present, a majority vote, that is a majority of the votes cast, ignoring blanks, is sufficient for adoption of any motion that is in order, except those mentioned in section 48, which require two thirds vote.

Dr. Walsh further noted that while it is the duty of every member who has an opinion on the question to express it by his vote, yet he cannot be compelled to do so, and may prefer to abstain from voting, though he knows the effect is the same as if he voted on the prevailing side.

Dr. Walsh reviewed the section of Roberts Rules regarding whether abstention votes count, and notes that to abstain means to refrain from voting and as a consequence, there can be no such thing as an abstention vote. He notes that in a usual situation, whether either a majority vote or a two-thirds vote is required, abstentions have absolutely no effect on the outcome of the vote since what is required is either a majority or two thirds of the votes cast.

Dr. Walsh reported that he posed a question on the Roberts Rules official site asking; Does Roberts Rules differentiate between people voting “present” and “abstentions”, if so where and how? He reported that the answer was No.

Dr. Walsh reported that he reviewed 12 years of Salem School Committee minutes, noting that he chose the 12 years that he has been on the School Committee. He reported that there is only one action of the Committee that addresses the issue of what constitutes a majority and referred to the October 20, 2008 School Committee minutes.

Dr. Walsh reported that at that meeting on October 20, 2008 there were five members present with two members absent and a motion to transfer $1,154 in COLA Payments to Major Flores was made and seconded and the vote was (3-1-1) with one member opposed and one member abstaining. Dr. Walsh stated that past practice clearing shows that a majority (assuming presence of a quorum) is made up of a majority of the members voting. Dr. Walsh also noted that Mayor Driscoll chaired that meeting, was part of the majority and did not later find that the vote was invalid. He also noted that he and Ms. Martin who opposed the vote objected to the vote.

Mr. Fleming stated that there have been many other instances that have been decided by a 3-1 vote due to absences of members. He also notes that there is nothing in the School Committee policies referred to that indicates anything other than a majority vote to pass a motion.

Mr. Schultz reported that the Chair did not solicit the opinion of the School Committee Counsel, explaining that he volunteered the opinion after hearing of the vote.

Mayor Driscoll called for a vote on the motion made by Mr. Schultz to clarify that the vote taken on September 19, 2016 regarding the

Mr. Fleming called for a roll call vote. Mayor Driscoll called for a roll call vote as follows:

Mr. Schultz Yes

Ms. Manning No

Mr. Fleming No

Ms. Amaral Yes

Ms. Wilson Yes

Dr. Walsh No

Mayor Driscoll Yes.

The motion carried (4-3).

1. **Deliberation and Vote on the Salem High School JROTC Field Trip to Pine Mount, Georgia November 3-6, 2016**

Mr. Fleming moved approval. Ms. Amaral seconded the motion. The motion carried (6-1) with Ms. Manning opposed.

1. **Deliberation on the approval of the Saltonstall School Trip to Philadelphia, PA., June 7-9, 2017**

Mr. Fleming moved approval. Ms. Wilson seconded the motion. The motion carried.

1. **Deliberation on the approval of the Salem High School Culinary Arts Program field trip to Johnson and Wales College in Providence RI, December 15, 2016**

Mr. Fleming moved approval. Ms. Wilson seconded the motion. The motion carried.

1. **Deliberation and Vote on the MASC Resolutions to be taken up at the MASC Delegate Meeting on November 3, 2016 at the MASC Conference in Hyannis, MA.**

Mr. Schultz stated that one of the resolutions included for the MASC Delegate Meeting has to do with Charter Schools and he could not support it.

Mr. Fleming suggested that the School Committee table the matter and offer no suggestions. Dr. Walsh stated that he would indicate that his votes at the delegate conference is not the consensus of the Salem School Committee.

Mr. Fleming moved to table the matter. Ms. Amaral seconded the motion. The motion carried.

**Superintendent Report – Margarita Ruiz**

Ms. Ruiz thanked the volunteers from all of the schools that participated in the Haunted Happenings Parade. She stated that it was a wonderful event and the Salem Public Schools were well represented.

Ms. Ruiz reported that October is Hispanic Heritage Month and notes that she attended a celebration at Salem High School and noted that the students and staff did a great job making presentations at the celebration and sharing their culture.

Ms. Ruiz also reported that the Saltonstall School and the Nathaniel Bowditch School held school wide celebrations as well and noted that the students prepared posters and made presentations.

Mr. Fleming reported that he attended a celebration hosted by the Latino Coalition to celebrate those who participate in public service.

Ms. Ruiz reported that the first of two city wide meetings on the strategic plan for the Salem Public Schools will be held on Monday. November 14, 2016 from 6-8:30 in the cafeteria at Collins Middle School. She noted that childcare and food will be provided.

Ms. Ruiz requested that the Curriculum Subcommittee schedule a meeting to review the work of a group of Salem Teachers Union representative and Salem Public Schools administrators led by Assistant Superintendent Kate Carbone on the language for surveys to be taken with regards to strategic planning. Dr. Walsh stated that he would schedule a meeting.

**Presentations and Reports**

Ms. Ruiz introduced Dr. Chad Leith to make a presentation on the Partnership with the Horace Mann Lab School and Salem State University.

Ms. Ruiz made a presentation on the 2016 PARCC and MCAS Data Overview

**Finance Report**

1. **Approval of Warrants**

September 29, 2016 in the amount of $268,162.08

October 6, 2016 in the amount of $280,528.59

October 13, 2016 in the amount of $149,649.41

Mr. Fleming moved to approve the warrants as stated. Ms. Wilson seconded the motion. The motion carried.

**Budget Transfer Request FY17-3**

School Business Administrator, Kristin Shaver explained that Margaret Marotta Assistant Superintendent for Pupil Personnel Services, requests a transfer from Educational Evaluation to Educational Training to cover anticipated Professional Development opportunities as follows:

**From Account Account Number Amount**

Educational Training 13610161-5313 $20,000

**To Account Account Number Amount**

Educational Training 1360161-5317 $20,000

Professional

Development

Mr. Fleming moved to approve the budget transfer request. Ms. Amaral seconded the motion.

The motion was approved (7-0).

**Subcommittee Reports**

**Policy Subcommittee**

1. Deliberation and Vote on the First Reading of the Recommendation of the Policy Subcommittee on the revisions to the following policies in the 6000 policy series:

6102 Governance

6105 SC Member Ethics

6107 Committee Superintendent Relationship

6202 Policy Dissemination

6203 Policy Formation

6204 Policy Adoption

6302 Officers of the Committee

6401 Notification of School Committee Meetings

6402 Time and Location of School Committee Meetings

6403 Executive Sessions

6405 Meeting Agenda Format

6406 Voting Method

6408 Minutes to SC Meetings

1. Public Participation at School Committee Meetings

6501 Subcommittees

Ms. Amaral moved approval of the first reading of the policies listed. Dr. Walsh seconded the motion. The motion carried.

**Buildings and Grounds Subcommittee**

Ms. Manning reported that the Buildings and Grounds Subcommittee met this evening and reported that the Salem Youth Football League will be hosting a championship game at Bertram Field and Mr. L’Heureux reported that they have agreed to pay the rental fees for that event.

Mayor Driscoll expressed concern about charging a rental fee for this event noting that it is a family event and she is quite excited that the game will be in Salem. She further noted that we want the field used for community events and stated that she would like to waive the fee for the rental charges and charge them for electricity etc. which should not be as costly to the league.

Mr. Fleming moved to amend Ms. Manning’s motion to waive the rental fee for Salem Youth Football for the Championship Game to be held at Bertram Field except for the electricity costs. Ms. Amaral seconded the motion. The motion carried.

Dr. Walsh stated that he could not find the matter of waiving the fees for youth sports in the minutes from 2014 and did not see how a waiver could be granted. Ms. Sacco clarified that the waiver was granted in September of 2015.

**Personnel Subcommittee**

Mr. Fleming reported that interviews for the position of School Committee Secretary have been held and the position was offered to a candidate who declined to accept it. He explained that references are being checked for another candidate and he hopes that the School Committee will be voting on a candidate at the next meeting.

**School Committee Concerns and Resolutions**

1. **Superintendents Evaluation**

Superintendent’s Goals and Evaluation and Revised Timeline for 2016-17 School Year – Dr. Brendan Walsh

Dr. Walsh reported that he and Mr. Schultz met with Ms. Ruiz to discuss the timeline and process for the Superintendent’s evaluation. He reported that Ms. Ruiz suggested that the timeline for the evaluation process be from October 2016 – October 2017. He reported that they checked with the Department of Education and that would be an appropriate timeline for the evaluation.

Ms. Ruiz reported that she is working on her goals and stated that she would like to schedule a Committee of the Whole School Committee to discuss them.

Dr. Walsh moved to approve the timeline of October 2016 – October 2017 for the Superintendent’s Evaluation. Mr. Fleming seconded the motion. The motion carried.

**November 7, 2016 School Committee Meeting Time**

Ms. Manning moved that the School Committee meeting scheduled for Monday, November 7, 2016 be scheduled for 7:00 p.m. Dr. Walsh seconded the motion. The motion carried.

**Questions and Comments from the Audience Regarding the October 24, 2016 Agenda**

There were no questions or comments from the audience at this time.

**Adjournment**

There being no further business to come before the School Committee this evening, Mr. Fleming moved that the School Committee adjourn the meeting. Ms. Amaral seconded the motion. The motion carried.

The meeting adjourned at 9:30 p.m.

Respectfully submitted by:

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Eileen M. Sacco, Secretary

Salem School Committee

**Meeting Materials and Reports**

School Committee Agenda October 25, 2016

School Committee Minutes September 19, 2016

MASC Resolutions

6000 Policy Revisions Recommended

Saltonstall School Trip Request to Philadelphia PA.,

Salem High School Culinary Arts Field Trip Request

Salem High School JROTC Field Trip Request

Superintendent’s Presentation on PARCC/MCAS Data Overview

Dr. Chad Leith’s Presentation on the Horace Mann Lab School Partnership with Salem State University