

WHITMAN-HANSON REGIONAL SCHOOL COMMITTEE MEETING
REGIONAL AGREEMENT AMENDMENT COMMITTEE
A Subcommittee of the Whitman-Hanson Regional School Committee
Minutes of September 25, 2017
Held at the Whitman-Hanson Regional High School

Meeting convened: 6:03 p.m.
Meeting adjourned: 7:20 p.m.

Voting members of the School Committee Members Present:
Robert Hayes, Frederick Small, Christopher Howard

Non-Voting School Committee members present:
Michael Jones

Other RAAC Voting Members Present:
Daniel Salvucci, Christopher George, James Hickey, James Egan, Amy Wright

RAAC Voting Members absent:
Rick Anderson

Administrators present:
Dr. Ruth Gilbert-Whitner, Superintendent of Schools

MARS Representatives present:
Malcom Reid, Steve Donovan

1) Open Meeting – (Superintendent Dr. Ruth Gilbert-Whitner – 1st meeting)

Dr. Whitner brought the meeting to order at 6:03 p.m. and announced the meeting was being broadcast live and recorded. Dr. Whitner announced the Regional Agreement Amendment Committee (RAAC) is utilizing the consulting services of the Massachusetts Association of Regional Schools (MARS) and introduced Mr. Malcolm Reid and Mr. Stephen Donovan.

2) Introductions

- a) RAAC members*
- b) MARS & MARS Consulting Group*
- c) MARS Consultants – Steve Donovan & Mac Reid*

Mr. Malcolm Reid, M.S., has been a central office administrator for pupil services and personnel, as well as a building principal and superintendent. He specializes in regional agreement amendments, planning and organization. Mr. Stephen Donovan, M.Ed., served as a high school principal and director of pupil services during his educational career. As a consultant, he specializes in regional agreement amendments, planning and personnel matters.

Introductions were made and included voting members of the RAAC Committee, non-voting members of the Committee, School Committee members and Whitman and Hanson town officials, who were present at the meeting.

Frank Lynam, Town Administrator, Town of Whitman

Daniel Salvucci, RAAC Committee and Town of Whitman Board of Selectmen
Christopher George, RAAC Committee and Town of Whitman Community Member at Large
Michael Jones, School Committee Member
Amy Wright, RAAC Committee and Town of Hanson Finance Committee
Robert Hayes, RAAC Committee and School Committee Chair
Dr. Ruth Gilbert-Whitner, RAAC Committee and Superintendent of Schools
James Hickey, RAAC Committee and Hanson Board of Selectmen
James Egan, RAAC Committee and Town of Hanson Community Member at Large
Christopher Howard, RAAC Committee and School Committee Member
Frederick Small, RAAC Committee and School Committee Member

3) *Committee issues/ground rules (Dr. Whitner)*

- a) *Sub-committee of Regional School Committee*
- b) *Recommend Co-Chair (one from each community)*
- c) *Note taker*
- d) *Quorum*
- e) *Voting – at each meeting & final – majority of members present if quorum*

Mr. Robert Hayes reported that he and Dr. Gilbert-Whitner previously met with Mr. Reid and Mr. Donovan to discuss the consulting services provided by MARS and to set up ground rules. Mr. Hayes affirmed the RAAC Committee is a sub-committee of the Whitman-Hanson Regional School Committee. Mr. Hayes briefly discussed the process of votes taken by the RAAC to amend the Regional Agreement and ensuing steps in the voting process by each town's board of selectmen, the vote of the townspeople, and lastly, the approval by the Department of Elementary and Secondary Education (DESE). Mr. Hayes anticipates the Regional Agreement Amendment Committee will be making one blanket vote to approve the entire body of the amended regional agreement and then go through the subsequent voting process for approval, once complete.

Appointing a co-chair from each town was recommended by Mr. Reid. Mr. Hayes asked for nominations.

VOTE: Mr. Salvucci nominated Mr. Frederick Small as Co-Chair of the RAAC. Mr. Howard seconded the nomination. The nomination to appoint Mr. Frederick Small as Co-Chair of the Regional Agreement Amendment Committee passed unanimously.

VOTE: Mr. Small nominated Mr. Robert Hayes as Co-Chair of the RAAC. Mr. Howard seconded the nomination. The nomination to appoint Mr. Robert Hayes as Co-Chair of the Regional Agreement Amendment Committee passed unanimously.

It was noted a quorum of the Regional Agreement Amendment Committee consisting of nine voting members would be five voting members. It was the consensus of the Committee that a majority of the members present, at the time of the final vote, be necessary for approval of the final regional agreement amendment. The recording secretary was named as Mrs. Michelle Lindberg. After a review of the list of members at the table, the voting and non-voting members were identified by Mr. Hayes as follows:

VOTING COMMITTEE MEMBERS:

Committee Co-Chair: Mr. Robert Hayes, School Committee (Hanson)

Committee Co-Chair: Mr. Frederick Small, School Committee Member (Whitman)

Mr. Christopher Howard, School Committee Member (Hanson)

Mr. Daniel Salvucci, Town of Whitman Board of Selectmen

Mr. Rick Anderson, Town of Whitman Finance Committee

Mr. Christopher George, Town of Whitman Community Member at Large

Mr. James Hickey, Town of Hanson Board of Selectmen

Ms. Amy Wright, Town of Hanson Finance Committee

Mr. James Egan, Town of Hanson Community Member at Large

NON-VOTING COMMITTEE MEMBERS:

Dr. Ruth Gilbert-Whitner, Superintendent of Schools

Mrs. Christine Suckow, Executive Director of Business Services

Mrs. Lindberg will amend the RAAC member list to indicate the appointed co-chairs and identify the voting and non-voting members, as discussed. Co-Chair Hayes stated all RAAC meetings will typically be held from 6:00 p.m. to 7:30 p.m. and are not to exceed one and a half hours.

4) Regional Agreement amendment process (MARS)

- a) PowerPoint presentation*
- b) Review of Regional Agreement process*
- c) Potential timeline*
- d) Discussion, questions, etc.*

Mr. Donovan and Mr. Reid presented a PowerPoint on amending a regional agreement. The overview included why an update to a regional agreement is needed and the ten-step process to amend an agreement. The Whitman-Hanson Regional School District Regional Agreement has not been amended since July 1, 1992. An update is needed to address the Education Reform Act of 1993, which is not addressed in the current agreement and address legal and practical issues. In addition an update to the agreement will provide an opportunity to consolidate the agreement into one document as well as modify outdated information and language therein. The ten-step process to amend an agreement is as follows:

- Form a Regional Agreement Amendment Committee (RAAC)
- Review the current Regional Agreement for issues to amend
- Incorporate State Laws, Regulations & practical changes
- Develop & implement a Community Relations process
- Review and suggest amendments to current Regional Agreement
- Produce an amended Agreement
- Approve amended Agreement by Regional School Committee
- Seek preliminary approval from DESE
- Vote to approve amended Agreement in each town
- Final approval granted by Commissioner of Education

Mr. Donovan continued the presentation and spoke to the responsibilities of the Sub-committee, cited limitations to regional agreement amendments and state laws governing regional agreements, and presented the standard components of an agreement. Mr. Donovan discussed the governance of the school committee composition under Chapter 71 Section 14E and Statutory Method of assessments, which is currently used under a 60/40 split. Another Alternative Method exists, but requires an annual unanimous vote of the School Committee, positive annual votes in each town, and notification to the DESE. Developing a significant community relations plan was also discussed. All RAAC meetings are open to the public. Other considerations discussed in the PowerPoint presentation include developing a timeline based on number and significance of issues and possible legal assistance, if necessary.

Mr. Hayes clarified that a blanket vote on the entire amended agreement would be the process in which the amended agreement is approved. It was suggested that if a current member is not appointed in the same position after town elections, they may have the opportunity to remain on the Committee as a non-voting member.

Mr. Reid stated that near the end of the regional agreement amendment process, he and Mr. Donovan will provide a summary of all changes made to the original agreement. The timeline of the complete process was discussed. Based on the necessary steps in voting, securing warrant articles in time for fall or spring town meetings, and allowing the necessary preparation time for the towns and school leadership, the entire process may take up to two years. The new agreement would probably (could possibly go earlier) go into effective the second July 1 after its approval by the DESE. For example, if the town vote occurs in May of 2018 the new agreement will take effect in July 2019.

MARS recommended the town vote be held during fall town meetings, rather than spring town meetings, to avoid controversies during budget season. Mr. Frank Lynam supported an effort to place the warrant article on the Town of Whitman May 2018 Annual Town Meeting Warrant and does not anticipate having a special town meeting in fall to vote the amendment.

5) Begin Work on Regional Agreement

- a) Discuss consultants' Regional Agreement issues*
- b) Discuss additional issues*

Mr. Reid presented an outline (step by step) of the regional agreement amendment process for the initial meeting.

Mr. Reid clarified the over-all voting process as RAAC votes → Regional SC votes → DESE (preliminary) → all Towns vote → DESE final approval

It was noted that the Board of Selectmen do not have to vote to approve the amendment but must vote to place the article on the warrant for the town vote.

The steps for amending an agreement were defined.

- Step 1 – determine major issues on the table
- Step 2 – organize Regional Agreement Amendment Committee (RAAC)
- Step 3 – Establish timeline
- Step 4 – Review Regional Agreement
- Step 5 – RAAC discusses each issue and eventually votes on a revised Regional Agreement to submit to the Regional School Committee
- Step 6 – Implement a community involvement program

- Step 7 – Regional School Committee (RSC) votes to accept Regional Agreement as presented by the RAAC or as amended by the RSC OR votes not to accept any proposed amendments to the Regional Agreement
- Step 8 – Proposed amended Regional Agreement is reviewed by DESE (this happens all along the process as individual issues are recommended by the RAAC)
- Step 9 – Board of Selectmen (BoS) in each town places amended Regional Agreement on a warrant for community vote – only takes a majority vote of the towns
- Step 10 – both communities must vote in the affirmative - Mr. Reid noted that during the approval process, if one town votes the amendment down, the project is defunct. It may go through the entire process, once more.
- Step 11 – Commissioner of DESE makes final approval - the new Regional Agreement may not go into effect until the second July 1 after its approval

Mr. Donovan stated that it is possible that an amended Agreement could be voted at the spring of 2018 Annual Town Meetings but that is very optimistic. Mr. Reid reported a number of notes have already been made on the agreement and will ask the Committee for a consensus to make the noted changes as they go through the process. They include legal issues, new regulations, Ed Reform, and adjusted written processes in the current agreement to reflect the actual current processes. Subsequently, the Committee will continue to go through the document, by one section at a time, and offer recommendations, suggestions and changes.

Section I – A. Powers, Duties and Composition

Need to add language that, by law, every ten years the composition of the population still in compliance with the “one man, one vote” (currently still 60/40). Need language to provide that flexibility.

Section D is redundant and will be moved to section A.

(3) Committee will follow MGL Chapter 71 (will generalize that language)

(4) Eliminate transition period

B interim committee and E Vacancies

Can delete both of those

Section III – Location of regional schools

Keep location of regional high school, may update that they have to be in the member towns.

A. – Pre-k to 8 students enroll in their hometown (RSC can make the change, or superintendent can recommend the change with the vote of the RSC).

B. – Lease of present schools – leases will commence – Mr. Donovan commented the leases are the most comprehensive ever seen. Discussed non-exclusive right to fields in Section 17 Page 7 – Town of Whitman (youth soccer fields, gym and town rec department field access) if this is working, fine, but language appears to be cumbersome and the scope should be narrowed – (Action item. Send lease agreements to the Committee for review). (Action for note-taker to remove language that was handwritten in and delete and re-number governing principals – there is no item “D”).

Section listing all schools –

There are 4 schools no longer in existence – also Maquan Elementary in Hanson will be closing in September 2018. Two options available: do not list schools by name, or list current schools with an “as of” date.

Section IV – Apportionment

A – Classification of Costs – The DESE does not allow language to continue stating that the district can levy the town but that there is a process - can suggest language to correct and not use the word levy. Four classifications of costs must be shown: operational, capital, transportation, and debt all to be included and how they are assessed.

B – Capital Costs – language “as relating to elementary school in each town...” was voted approved in January 1998 by Town of Hanson only. Because only voted in one town this section technically does not exist but was hand-written in and then typed into the copy used by the Committee. Assuming not in original agreement, should not be kept in the current agreement. Also, the Committee will address the definition of “capital expense” and develop a common definition (use of life, sudden, extraordinary, unanticipated event, etc.) and may attach a dollar amount.

D – Apportionment of Capital Costs - this is based on enrollment. Some districts have gone to foundation enrollment, which is based on the total number of students that could attend the schools, not just the ones that are actually enrolled in the schools.

In terms of debt, the Agreement refers to all debt going to a vote. Mr. Reid noted this section warrants deeper discussion as there are two parts to this. According to Chap 71 16 (d), if a school district committee votes on capital expense, the selectmen have 60 days to decide to take it to the voters. It is presumed approved if not responded within 60 days. The current language is Chap 71 16 (n) which mandates a vote by the member towns in all instances. The Committee should discuss if both options should be in regional agreement. The Committee may want to change language to clarify which process is preferred.

E – Transition language - note to delete

(2) Special operating costs – Mr. Reid has not seen this in an agreement before and asked the Committee to decide if to delete, especially if this has never been used.

F – Times of Payments of Apportioned Costs —discuss if the dates listed are still agreeable.

SECTION V Transportation

It was noted this section is difficult to understand. Should RSC decide not to provide non-mandated bussing, an article will be presented to BoS. However, if the RSC decides to provide non-mandated bussing, they don't need permission of the BoS. This section needs to be re-visited and cleaned up.

Section VII Admission of Additional Towns – recommend to expand this section - vote to allow RSC and towns to negotiate.

Section VIII - Withdrawal

A - Limitation – DESE suggests adding language (debt that exists – address the responsibility) need to include OPEB and clarify this section.

E - Payments – Capital costs made by withdrawing towns (to deposit funds in a Massachusetts bank or trust with a combined capital and surplus of not less than \$5,000,000) - this language is outdated.

Section IX– Withdrawal of Elementary grades PreK-8 – Either town can pull out without permission from the other town. Mr. Frank Lynam added that, at the time of the first amendment in 1992, it was necessary to add that into language to get into a regional agreement to avoid controversy and provide a level of comfort to regionalize those grade levels. Mr. Reid recommended the Committee decide if they wish to leave it in or delete it.

Section X – Budget

There are things about the initial budget that can be deleted. This section will be discussed in more detail and delete transition language in several places.

C – Final Capital and Operating Budget - need to update language “and each town shall appropriate the amounts so certified to it.” As it reads the district can force the towns to pay something without their vote.

Section XII – Tuition

Things have changed since this language was written – it reads, “tuition must offset the next year’s assessment. That was written prior to programs such as School Choice. In addition, also, many other districts choice special needs students to help prevent costs of out placement. MARS recommended that money will not always be used to offset next year’s assessment (based on specific circumstances).

Sections XIII-XVII

The remaining Sections (Section 13 through Section 17) may be deleted, as they are no longer relevant.

Signatures at End of Agreement – Execution of Agreement

DESE requires either all School Committee members or just the Chair may sign off on the Agreement. The key is the Chair of the Board of Selectmen or Town Clerk signs the agreement to verify that the vote was taken by the Town and was approved.

At the next RAAC meeting, the Committee will review each section of the current Regional Agreement in depth.

6) Public participation (Chair)

Mr. Hayes encouraged parents and community members to participate and attend upcoming meetings.

7) Future meeting dates – October 30, 2017, December 4, 2017, January 29, 2018, February 26, 2018, and March 26, 2018 (Chair)

The next meeting is scheduled October 30, 2017 at the Regional High School library at 6:00 p.m.

VOTE: Mr. Small motioned; Mr. Salvucci; seconded; voted to adjourn the meeting at 7:20 p.m. The motion passed unanimously.

Minutes respectfully submitted by Michelle Lindberg

Meeting Materials and Handouts:

- September 25, 2017 RAAC Meeting Agenda
- Regional Agreement effective 7/1/1992
- Amending a Regional Agreement PowerPoint
- Amending a Regional Agreement step by step process
- List of RAAC participants