



WHITMAN-HANSON REGIONAL SCHOOL COMMITTEE MEETING
Minutes of May 18, 2020
Held at the Whitman-Hanson Regional High School
600 Franklin Street, Whitman MA
The meeting was held remotely via teleconference

Meeting convened: 6:00 p.m.
Meeting adjourned: 7:20 p.m.
Members present: Robert Hayes, Christopher Scriven, Frederick Small, Robert O'Brien, Jr., Michael Jones, Daniel Cullity, Christopher Howard, Steve Bois, Dawn Byers and Alexandria Taylor
Members absent: None
Administrators present: Jeffrey Szymaniak, Superintendent of Schools
George M. Ferro, Jr., Assistant Superintendent of Schools
John Tuffy, Interim Business Manager

The virtual meeting was being held remotely in accordance with the Governor of Massachusetts' March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law G.L. c. 30A, Section 20. The meeting will be recorded and members of the public are able to access the meeting via live stream audio at www.whca.tv/watch/ and on WHCA's Educational Access Channel 98.

Chair Hayes opened the meeting and announced the School Committee was meeting in a virtual setting, remotely via teleconferencing, and was being recorded and broadcast live on WHCA's Educational Access Channel 98.

Moment of Silence

Pledge of Allegiance

Roll Call for Attendance

Roll call was taken, all members in attendance. Chair Hayes announced that Whitman Hanson Education Association (WHEA) Representatives, Kevin Kavka and Cindy McGann, were in attendance.

Acceptance of Meeting Minutes

May 13, 2020

Chair Hayes recommended passing over to provide additional time to prepare the meeting minutes.

Vote: Mr. Small motioned; Mr. Bois seconded; voted by roll call to pass over the acceptance of the May 13, 2020 meeting minutes.

Mr. Bois – Yes

Ms. Byers – Yes

Mr. Cullity – Yes

Mr. Howard – Yes

Mr. Jones – Yes

Mr. O'Brien - Yes

Mr. Scriven – Yes

Mr. Small – Yes

Ms. Taylor – Yes

Mr. Hayes – Yes

The motion passed unanimously.

Unfinished Business

Regional Agreement Amendment Proposal

Superintendent Szymaniak reported a tele-conference was held earlier in the day on May 18, with Christine Lynch, Department of Elementary and Secondary Education (DESE) Office of Regional Governance. Questions with regard to amending the Regional Agreement and tying in a contingency in order to approve a school budget and local assessments at the annual member town meetings were discussed. Mr. Szymaniak reported that DESE representatives Christine Lynch and Michelle Griffin, MARS Consultant Steven Hemman, Attorney Andy Waugh, School Committee Chairman Bob Hayes and Vice Chair Chris Scriven, and Whitman-Hanson Central Office Administrators, Mr. Ferro and Mr. Tuffy were also on the call.

Mr. Szymaniak read the Q&A into the minutes.

1. *Can we add an amendment that would obligate Hanson to reimburse Whitman to the same dollar amount of relief that Whitman is providing for FY2021 if the amounts shift and Whitman owes more? This should be a side MOU between Whitman and Hanson not part of an amendment or regional agreement.*
2. *Can we add an amendment that would obligate Hanson to reimburse Whitman to the same dollar amount of relief that Whitman is providing for FY2021 if Hanson de-regionalizes within the next 10 years? This would be part of the new regional agreement.*
3. *Can we add the amendment/amendments that both towns wanted when they started speaking? I believe one of them was that they have a seat at the table for negotiations. There was discussion on this question and one member from each town on a rotation should be an extension of the School Committee. Attorney Waugh called the person the "11th member". This would not be part of the amendment, language should be in the regional agreement. Tuffy added that in Silver Lake Regional School District member towns got together and chose one member from three towns, met with negotiating subcommittee as well as School Committee in executive session – same in Cohasset - town involvement and meeting with negotiating subcommittees.*
4. *Can the 9am meeting be recorded? and posted? The meeting was recorded as business meeting.*
 - a. *Can Christine, Michelle, Andy and Steve attend a WHRSD SC Meeting for live feedback and follow up questions? Not asked today.*
5. *In a Regional Agreement, the portion of language which relates to:
"how to determine each member town's proportionate share of the aggregate above Minimum Contribution,"
Is it possible for the member towns to negotiate and determine this amount based on an enrollment figure other than: "the ratio of pupil enrollment, including out-of-district pupils, in all member towns in the District
on October 1 of the preceding fiscal year for which the apportionment will be assessed."? For instance, can this amount be determined using a rolling average of enrollment, whether it be a 2yr, 3yr, 4yr, 5 yr, etc.? Yes*
6. *If both towns were in agreement to De-Regionalize K-8, what standards would DESE require each independent town to meet in order to approve De-Regionalization?*
 - a. *If both towns were in agreement to De-Regionalize K-12, what standards would DESE require? Christine spoke at length about what DESE would require. Finance plan and education plan for students. She said district would lose regional transportation reimbursement. Steve spoke to OPEB, Plymouth County retirement and outstanding obligations. They were not clear on whether the towns would remain or receive the "hold harmless money" that the district receives.*

7. *Can the Town of Hanson be asked to open its financial books for public awareness of it's ability to pay?*
 - a. *Based on the premise of Education Reform and Chapter 70 law, how can Whitman, which is offering 0% raises to most union employees, be expected to pay almost \$600,000 of Hanson's assessment under the statutory method? **You can request this information an do a Freedom of Information Request. John Tuffy alluded to these numbers being on the DOR website.***
8. *Under what terms can sections of the 1991 Regional Agreement be amended? Can an amendment be proposed to the School committee and member towns for vote? **Christine Lynch said that the School Committee could vote an amendment to the agreement by majority vote. Any amendment would have to be approved at town meeting.***
9. *I've read Michelle Griffin's FAQ document and didn't see this scenario: If the school committee doesn't have 2/3 affirmative vote to approve a budget, and the commissioner doesn't step in to set a 1/12 budget until July 1st, and both member towns have Town Meeting planned for June, what assessment amount does each municipality put on their Warrant Article for funding, and to be voted on by tax payer Thanks for the update. **If the School Committee doesn't approve a budget the town will not have anything to vote on and the commissioner will establish a 1/12 budget.***
10. *The only item I have is to ask Andy to present to Christine that we would like to do an Amendment to the 1991 Agreement (show her what he drafted) and ask if this is something DESE would accept if agreed to by the school committee and selectman and then subsequently Town Meeting. **The amendment that Attorney Waugh drafted will be presented to DESE legal for approval. If they don't approve and School Committee voted to use this amendment, School Committee would have to rescind the vote.***

In Summary

- *The amendment written by Andy looks good. We need to use the 1991 agreement and this amendment uses an alternative method. Christine needs DESE legal to review. If they approve and TM approves, we send to the Commissioner for final approval. Town Meeting must approve the amendment outlining the assessment method before a budget is presented. The agreement Andy wrote determines a 50/50 split for the year and for FY22 and beyond we use statutory.*
- *SC can approve an amendment by majority vote but needs a 2/3 vote for a budget.*
- *Christine re affirmed twice that we do not benefit as a district or town if the commissioner set's a 1/12th budget. He will use FY20 approved budget figures, FY21 Minimum Local Contribution and FY21 Chapter 70. He will use the statutory method. In her experience the commissioner has never increased the 1/12th budget over the FY20 numbers. She understands that this is problematic and painful for the district. If the district doesn't have a budget by December 1st, the state will take fiscal control using the statutory method. She said no one benefits if the commissioner is involved with the budget.*

Mr. Szymaniak reported that over the last few months there have been a number of discussions between town officials to establish a compromise to address the impact of the local assessment to the Town of Hanson of which included a 50/50 split of the total assessment. Mr. Szymaniak understands this was short notice but wanted to bring it forward to School Committee.

Mr. Szymaniak reported that the school administration has also been working on ways to reduce the overall assessment. Mr. Szymaniak presented new fiscal information that would reduce the total assessment by \$600,000 but preserve the overall proposed FY2021 operating budget at \$55,320,238. The Superintendent proposed a rollover of \$250,000 from Circuit Breaker and transfer of \$350,000 from Excess and Deficiency (E&D) to the FY 2021 operating budget as additional revenue to offset the assessment by \$600,000. He explained the process of the rollover of anticipated funds for Circuit Breaker that could supplement the budget under the special education lines.

Mr. Tuffy reviewed a number of potential current budget savings due to the school closure and, at the same time, how to cover the \$350,000 revenue loss of preschool and kindergarten tuitions. He has been in discussion with First Student Transportation and anticipates a savings of \$250,000. In addition, \$100,000 in savings in athletics, van transportation, utilities and S.J. Services cleaning service would cover the \$350,000 deficit. These values would reduce the assessment split between the towns of Whitman and Hanson by \$600,000 and allow for a lower assessment to the Town of Hanson at \$11,214,176.79 and lower assessment to the Town of Whitman at \$15,367,391.75 under the proposed FY2021 operating budget of \$55,320,238.

Mr. Howard commented the plan was well laid out and addresses what the Committee has discussed over the last few months. Mr. Howard made a motion to accept the amendment to the 1991 Regional Agreement as presented with the modifications from Christine Lynch (DESE Regional Governance). Mr. Jones seconded the motion. A discussion ensued.

Mr. Szymaniak confirmed the amount in E&D is \$605,000. The Superintendent reported the District is working with Plymouth County and a grant opportunity with DESE, to recover lost funds due to COVID-19. Mr. Tuffy reported Plymouth County has a description of the program but yet to develop the forms to file a claim or specific direction of the necessary documentation. Mr. Tuffy added the intent is to obtain and submit the information relatively quickly with a potential reimbursement received by June 30, which is important to have it count towards E&D for the end of this fiscal year. Mr. Ferro reported the District is eligible, through the federal aspect of the CARES Act via ESSER (through DESE) based on Title I allocation, federal funding funneled through Massachusetts, to receive \$292,000 which will be used for a myriad of COVID-19 related items (opening, technology, etc.). There are two opportunities to participate; June 1 – June 30, 2021 or June 15 – December 31, 2020. The goal is to use the funding from the ESSR grant to reimburse what has been expended and what may be expended for COVID related items. Mr. Szymaniak stated because of these programs, he is comfortable that the District will not need to transfer any COVID related expenses from E&D.

The Superintendent reported there was discussion to amend the proposed and DESE approved 2018 Regional Agreement (RA) with the new language but because both towns rejected the proposed 2018 version, Christine Lynch stayed clear of that. Mr. Szymaniak reported the meeting discussion with Christine Lynch and Steve Hemman focused on amending the 1991 RA. The proposed amendment was reviewed and is legal and, is also contingent upon both member towns voting in the affirmative on the amended agreement, which is also contingent upon the DESE Commissioner Riley's final approval. Mr. Ferro added that a subsequent email from Ms. Lynch indicated the Committee/Amendment Subcommittee should take to working on a comprehensive agreement over the next year to bring all aspects of an Agreement together for subsequent years.

Mr. Szymaniak confirmed that this proposal was an amendment to the 1991 Regional Agreement for one year as a fifty percent split of its total assessment between the member towns, with a caveat that moving to statutory for apportionment of operating costs for FY2022 thereafter will be followed. There was a brief discussion of the actual calculation of savings to the local assessments using the 50/50 split versus statutory but figures were not confirmed.

Chair Hayes reiterated the local assessments are, to the Town of Hanson at \$11,214,176.79 and to the Town of Whitman at \$15,367,391.75. Chair Hayes read the proposed amended language into the minutes (as Section 4, E(1) of the 1991 Regional Agreement).

Proposed amended language

E. Apportionment of Operating costs for FY 2021

(1) Whitman-Hanson Regional School District Pre-Kindergarten-12

The apportionment of operating costs for the fiscal year shall be determined by the sum of sections (a) and (b) below:

- (a) The statutory method (MGL c. 70, section 6) shall be used to calculate total assessments for each town. Each member town shall be assessed fifty percent (50%) of its total assessment under the statutory method.
- (b) An amount based upon computing the ratio which each member town's pupil enrollment in the regional district on October 1 of the year in which the apportionment is determined bears to the total pupil enrollment from all the member towns in the regional district school on the same date (agreement method). In the event that enrollment in the regional district school has not been accomplished by October 1 of any year, operating costs shall be apportioned on the basis of the number of pupils in grades Pre-kindergarten through twelve residing in each member town on October 1 of that year and receiving education at such town's expense. Each member town shall be assessed fifty percent (50%) of its total assessment under the agreement method

Apportionment of Operating costs for FY 2022 and thereafter will follow the statutory methodology as defined in 603 CMR 41.00 as follows:

- (1) The apportionment of operating costs to a member town will equal the Minimum Local Contribution and any other operating costs above the Minimum Local Contributions, referred to in this section as "Above Minimum Contribution."

The aggregate Above Minimum Contribution is arrived at by subtracting from the Operating Budget the following: Chapter 70 aid, the Minimum Required Combined Local Contributions of all member towns, and other general revenue sources to the District.

This formula is illustrated below:

Operating Budget (which excludes capital, debt, and transportation)
 - (minus) Chapter 70 aid (as calculated by DESE)
 - (minus) Minimum Required Combined Local Contributions of all member towns (as calculated by DESE)
 - (minus) Other general revenue sources to the District
 = (equals) Total Above Minimum Contribution for all member towns

To determine each member town's proportionate share of the aggregate Above Minimum Contribution, it shall be determined based on the ratio of pupil enrollment, including out-of-district pupils, in all member towns in the District on October 1 of the preceding fiscal year for which the apportionment will be assessed.

- (2) The total operating costs assessed to each member town will consist of the member town's Minimum Local Contribution and the town's share of Above Minimum Local Contribution to be determined based on the ratio of resident pupil enrollment in all member towns in the District, including out-of-district pupils, on October 1 of the preceding fiscal year for which the apportionment will be assessed.

Chair Hayes stated the amendment to the Regional Agreement is contingent upon both towns voting in affirmative. Mr. Szymaniak confirmed both member towns must vote both the amendment and the operating budget in the affirmative to have an amended Agreement and an operating budget for FY2021. Mr. Szymaniak confirmed the language in the amendment was reviewed by legal counsel, MARS Consultants and DESE's legal team.

VOTE: Mr. Howard motioned; Mr. Jones seconded; voted by roll call Mr. Howard made a motion to accept the amendment to the 1991 Regional Agreement as presented with the modifications from Christine

Lynch.
Mr. Bois – Yes
Ms. Byers – Yes
Mr. Cullity – Yes
Mr. Howard – Yes
Mr. Jones – Yes
Mr. O’Brien - Yes
Mr. Scriven – Yes
Mr. Small – No
Ms. Taylor – Yes
Mr. Hayes – Yes
The motion passed 9-1-0.

Operating Budget and Assessments

Chair Hayes reiterated the proposed FY2021 operating budget is \$55,320,238. It was recommended to vote to transfer funds from E&D prior to voting on the operating budget. Mr. John Tuffy clarified that the FY2021 operating budget figure will remain the same and the work done by the School District to lower the local assessment by \$600,000 will be adjusted by applying \$250,000 from Circuit Breaker and \$350,000 from the Excess & Deficiency account. He recommended voting on the E&D transfer when voting on the local assessments.

VOTE Mr. Howard motioned; Ms. Taylor seconded; to accept the FY2021 Whitman-Hanson Regional School District Operating Budget at \$55,320,238, as presented.

Mr. Bois – Yes
Ms. Byers – Yes
Mr. Cullity – Yes
Mr. Howard – Yes
Mr. Jones – Yes
Mr. O’Brien - Yes
Mr. Scriven – Yes
Mr. Small – Yes
Ms. Taylor – Yes
Mr. Hayes – Yes
The motion passed unanimously.

Mr. Szymaniak spoke to concerns of depleting the E&D line and covering unanticipated transportation and infrastructure costs. Mr. Tuffy added it is not prudent to spend down all E&D as it does not make good business sense, nor, does it look good to the people who rate the School District’s debt.

Chair Hayes repeated the local assessment figures. The operating assessment to the Town of Whitman is \$15,367,391.75. The operating assessment to the Town of Hanson is \$11,214,176.79. A motion was made and withdrawn by Mr. Cullity to vote the local assessment. Mr. Bois withdrew his second in order to vote on the transfer of E&D funds.

VOTE: Mr. Scriven motioned; Ms. Taylor seconded; voted by roll call to transfer \$350,000 from the Excess & Deficiency (E&D) Account to the FY2020 operating budget.

Mr. Bois – Yes
Ms. Byers – Yes
Mr. Cullity – Yes
Mr. Howard – Yes
Mr. Jones – Yes
Mr. O’Brien - Yes
Mr. Scriven – Yes
Mr. Small – Yes

Ms. Taylor – Yes
Mr. Hayes – Yes
The motion passed unanimously.

VOTE: Mr. Cullity motioned; Ms. Taylor seconded; voted by roll call to approve the operating assessment to the Town of Whitman for the FY2021 budget in accordance with the proposed PK-12 Whitman-Hanson Regional School District Regional Agreement as amended, and M.G.L. c.71, § 16B at \$15,367,391.75.

Mr. Bois – Yes
Ms. Byers – Yes
Mr. Cullity – Yes
Mr. Howard – Yes
Mr. Jones – Yes
Mr. O’Brien - Yes
Mr. Scriven – Yes
Mr. Small – Yes
Ms. Taylor – Yes
Mr. Hayes – Yes
The motion passed unanimously.

VOTE: Mr. Cullity motioned; Ms. Taylor seconded; voted by roll call to approve the operating assessment to the Town of Hanson for the FY2021 budget in accordance with the proposed PK-12 Whitman-Hanson Regional School District Regional Agreement as amended, and M.G.L. c.71, § 16B at \$11,214,176.79.

Mr. Bois – Yes
Ms. Byers – Yes
Mr. Cullity – Yes
Mr. Howard – Yes
Mr. Jones – Yes
Mr. O’Brien - Yes
Mr. Scriven – Yes
Mr. Small – Yes
Ms. Taylor – Yes
Mr. Hayes – Yes
The motion passed unanimously.

Mr. Scriven reported in speaking to Christine Lynch, voting to use the statutory method as the local assessment method is not a required vote and there is no need to rescind the vote of the previous vote of the School Committee. Mr. Szymaniak reported the amendment must pass in both member towns in order for the operating budget to pass. It was recommended, for transparency purposes, to insure clear communication to the member towns of the contingency to pass the operating budget and the method of the assessment is an agreement method for FY2021.

Adjournment

VOTE: Mr. Small motioned; Ms. Taylor seconded; voted by roll call to adjourn the meeting at 7:20 p.m.

Mr. Bois – Yes
Ms. Byers – Yes
Mr. Cullity – Yes
Mr. Howard – Yes
Mr. Jones – Yes
Mr. O’Brien - Yes
Mr. Scriven – Yes
Mr. Small – Yes
Ms. Taylor – Yes
Mr. Hayes – Yes

The motion passed unanimously.

Minutes respectfully submitted by Michelle Lindberg

Signature of School Committee Secretary

Meeting Handouts:

- Meeting agenda and memo for May 18, 2020
- Proposed Amendment to 1991 RA Section 4, #(1) SECTION IV – Apportionment of Payment of Costs incurred by the District
- Whitman-Hanson RSD Draft Assessments- Modified Statutory Method dated 5-18-2020