

LEXINGTON SCHOOL COMMITTEE MEETING

Wednesday, May 9, 2012

3:00 PM

**Lexington Town Office Building, Selectmen's Meeting Room
1625 Massachusetts Avenue**

School Committee Members Present: Mary Ann Stewart, Chair; Alessandro Alessandrini, Vice Chair; Bonnie Brodner; Margaret Coppe; Jessie Steigerwald; Noah Coolidge, Student Representative

Also Present: Mr. Robert (Bob) Fraser, School Committee Counsel, Stoneman, Chandler, & Miller LLP; Mr. Kevin Batt, Town of Lexington Counsel, Anderson & Kreiger LLP.

The minutes were recorded by Mary Ann Stewart.

The Chair called the meeting to order at 3:00 PM and welcomed everyone. She stated the meeting would be about 90 minutes, so that School Committee members could engage in a discussion with Town and School Committee Counsels about the data collected by Mr. Bruce Wellman, which was relied upon as the basis for the Wellman Report, released on March 13, 2012.

Ms. Stewart stated that she had received advanced word from Ms. Phyllis Neufeld, Lexington Education Association (LEA) President that she would like to be recognized at the beginning of the meeting. The Chair further stated that the Committee would hear Public Comment after the School Committee had had sufficient time to discuss today's agenda and had raised their questions and/or clarifications with counsel.

The Chair recognized Ms. Phyllis Neufeld. Ms. Neufeld stated that a comment raised at last night's meeting was erroneous. She clarified that the data reviewed by Dr. Ash and herself was redacted data - names and positions were not identified and comments could not be linked to any employee.

Mr. Alessandrini said that in light of the fact that the Committee would be reorganizing at the next meeting:

Moved that the entire School Committee be informed of any further information regarding Wellman data.

Ms. Steigerwald seconded the motion.

Discussion: Mr. Batt cautioned that School Committee communications must be mindful of the Open Meeting Law and that no opinions of any member may accompany a communiqué when forwarding to other members.

The Motion passed unanimously (5-0).

The Chair explained that the Committee had received an opinion from Bob Fraser concerning data of Mr. Bruce Wellman and invited Kevin Batt to share his opinion.

Mr. Batt stated that he had been contacted by the Chair concerning the Committee's motion to view the "raw data" that formed the Wellman Report. Comments collected by Mr. Wellman were understood to be given under the promise of confidentiality and would not be identified.

Mr. Batt explained his understanding of the data that informed the Wellman Report and the interaction of the School Committee in reviewing that data. He said that he agrees with Mr. Fraser that raw data are exempt from public record disclosure and that even though they may not be public records, the School Committee should take care as to how it considers using the data.

Mr. Fraser stated that his opinion warns of other concerns, such as the data should not be used to inform collective bargaining and/or evaluation protocols and procedures. The Wellman Report may be used by the School Committee in consideration of its broad policy-making authority that leads to decision-making about budget, for example.

The Committee engaged in discussion about (i) the data, (ii) use of the data, and (iii) a process for viewing the data. Questions were addressed by Mssrs. Batt and Fraser.

Member Margaret Coppe left the meeting at approximately 4:00 PM.

A consensus on how to proceed was reached in discussion with Ms. Carol Pilarski, Assistant Superintendent of Curriculum, Instruction, and Professional Development who was also part of the Steering Committee facilitated by Bruce Wellman.

Further discussion about the procedure to view data. If a member has concerns about a complaint against the superintendent, they may contact Bob Fraser or Ms. Colby Brunt (also of Stoneman, Chandler, & Miller LLP), then they will work with the Chair on next steps. The Committee will have seven (7) business days to view the data once it is ready.

Mr. Alessandrini:

Moved to direct the Chair to contact Bruce Wellman to ask if he has other data to share with the School Committee, or if there are other impressions to share that the

Committee should know about that were not part of his final report (Wellman Report).

Ms. Steigerwald seconded.

Discussion: there was no further discussion.

The Motion was approved: 3-1 (Brodner)

The Chair invited Public Comment.

Ms. Diane Biglow, 15 Bellflower Street asked for clarification about the data that Dr. Ash saw.

Ms. Theodora Martin, Liberty Avenue thanked the Committee.

Mr. Stan Chonofsky, Dee Road thanked the Committee. He asked for clarification about the Committee's discussion of data in very broad and general terms.

Mr. Harvy Simkovits, Angier Road thanked the Committee and counselors for this conversation. He asked the Committee to determine how it will analyze the data.

Diane Biglow thanked the Committee, including Noah Coolidge. She asked if there was additional data to receive from the Steering Committee. Ms. Steigerwald stated that it was her understanding that they endorsed it and framed it, working from the same data set as Bruce Wellman.

Ms. Steigerwald:

Moved to adjourn the meeting.

Ms. Brodner seconded.

Discussion: There was no discussion.

The motion was approved unanimously (4-0).

The meeting adjourned at 5:00 PM.

Voted by the School Committee November 18, 2014