

Essex North Shore Agricultural & Technical School District
District Policy Subcommittee

Essex North Shore Agricultural & Technical School
565 Maple Street
Hathorne, Massachusetts 01937
Media Center Conference Room (Upper Level)

Wednesday, September 5, 2018

7:00 p.m.

APPROVED MINUTES

Attendance: M. Teixeira Prince, J. Delaney, T. Norris, A. Liteplo, H. Riccio, A. Armstrong, G. Demsey, S. Donnell, E. Johnson, M. Strout.

1. Ms. Liteplo Called the meeting to Order at 7:00 pm.

The group discussed the details of the last meeting on May 10, 2018.

2. *Reviewed the Revised By-Laws Governing the Operation of the Essex North Shore Agricultural and Technical School*

Ms. Liteplo discussed the purpose of the meeting tonight and assured that the group had the bi-laws that are attached to these minutes.

The action required when a committee member resigns was discussed and the authority of the mayor to appoint committee members. The bi-laws do not support a mayor's authority to appoint committee members. The language that protects the district as a whole and the gaps that can be left if a member resigns. The group discussed where the responsibility lies with representation and the acceptance of resignations.

Mr. Norris: advised on the response to resignations and how the bi-laws address resignations. There are sometimes other committees besides mayors that can appoint committee members. There can be temporary measures put in place to assure the appointment to fill a resignation.

There was discussion among the group concerning resignations and the language of the bi-laws. The decision to address the language around resignations or to leave it as is was discussed. Dealing with vacancies and the effect on votes and quorums was considered by the group. The idea of counting members present than a quorum of votes was a topic of conversation. The bi-laws should be reflective of resignations and quorums. The timeline of a resignation and the effect of the quorum and the bi-laws was considered. There should be more communication with the communities when a committee member resigns; reflecting the affect it has on the quorum. There was also conversation about when a committee member's term is up.

If any changes are going to be made they have to go out to the committee members within five days of the vote.

The group went on to discuss and consider resignations and the acceptance of them. It needs to be decided if the language in 2.2 is going to be kept. The language in 2.2 and 2.3 conflicts and creates confusion around resignations. It was recommended that the language be taken out and add the language to the next paragraph revolving around quorums. What the word "Member" means was discussed. Changing the word from Member to Representative was considered as an option.

Ms. Teixeira Prince: requested the opinions of the entire group and how a vacancy should be viewed and the acceptance of the resignation. There was discussion about the length of time it can take to fill a vacancy at the community level. What should happen during the time it takes to fill the vacancy. Accepting a resignation should not necessarily be up to the committee. There should not be a motion to accept or not accept a resignation. The committee member should resign to their town and not to the committee. The date of the letter to the school committee should be accepted as the resignation date and that creates a vacancy on the committee. The town then has sixty days to appoint a new committee member. It is up to the chair person to be mindful if a quorum exists at a meeting.

Leaving the language in 2.1 and taken out of 2.2 was considered as an option. Adding language about effective dates of resignation and quorum language to 2.3 was discussed. The group agreed on the solution of language in sections 2.1-2.3.

Section 2.4 and the allocation of votes was brought up by Ms. Liteplo and weighted votes were discussed. Mr. Norris suggested separating full committee and subcommittee out in section A and B.

Ms. Teixeira Prince: reminded the group of a situation and "what if the vote fails". Does the motion only go forward if it passes in subcommittee? Do all votes go forward to the full committee regardless of pass or fail in the subcommittee? Mr. Norris reviewed the two different situations that could occur. The negative vote should be a recommendation from the subcommittee to the full committee.

There was discussion about the subcommittee votes going to the full committee and the recommendation to the full committee. Weighted votes in the subcommittee were discussed when one committee member can outweigh the entire subcommittee. What other districts do is a mix of both scenarios. Can a subcommittee member make the motion to bring an issue to the full committee if it is voted down in the subcommittee? Time sensitive issues can be called for an emergency meeting if necessary. Votes that recommend a course of action should be brought to the full committee. The full committee has to trust the subcommittee's vote to bring forward or not.

It was recommended that the language recommend that only affirmative votes be brought to the full committee for consideration. Tim Norris will find the proper language around votes.

Section 2.5A and the "official bulletin board" was considered by the group. The open meeting law and what a designated bulletin board means in light of technology was

discussed. The website could be considered as the bulletin board. It was requested that Tim Norris come up with the language that the official bulletin board will be the District website.

Ms. Liteplo brought up section 8.2 and the language of dates and approvals. There was discussion if new member communities must be taken. This can create enrollment issues. The school committee should have the deciding factor on receiving new members and not a governing law. The language is more about withdrawals than accepting new member communities. Does the school committee have the authority to say no to a new member community? There was discussion about the enacting legislation and adding new member communities. Mr. Norris will review the CMR and how it applies to member communities and the enacting legislation.

Ms. Liteplo offered the opportunity for other questions.

Ms. Teixeira Prince: prefers reference to chairperson rather than “chair” and “vice chair”. She also brought up the word designee rather than superintendent serving as the acting chair in the paragraph at the top of page 4 under Section 2.5. Instead of saying school committee designee the language should reflect superintendent. Under Section C the word all and full was discussed. Section I under 2. 5, Special meetings and how many members must be present to call a special meeting was reviewed. Five seems like a lot. Three seems to be an acceptable number. The group decided that three members are enough to call a special meeting rather than five. There would still need to be a quorum in order to have the meeting. Three members are required to call a meeting.

There was discussion about how the meeting would be advertised and the reason for Executive Session. If the chair person is not willing to call a meeting, how many members should be required to call a special meeting?

The group discussed how much in advance the bi-laws need to be presented prior to review by the full committee. The language around allowing new members to come in and the role of the school committee was discussed. There would have to be a change to the enacting legislation. Does there need to be another meeting prior to bringing this to the full committee? It was requested that Tim Norris come to the full committee meeting. He will provide the new language with all of the changes and present it to the full committee in October for review. It was agreed that the changes can be brought to the full committee without the subcommittee meeting again.

Dr. Riccio discussed two other policies that need to come before the District Policy subcommittee in November.

Ms. Liteplo Made the motion that all recommended changes discussed at tonight’s meeting be brought to the full committee in October. Mr. Strout seconded the motion. The motion passed.

The public hearing meeting will begin at 6pm and the bi-laws can be discussed at 7pm and then go back into public hearing. Getting the bi-laws out prior to the meeting to allow for questions is recommended. Getting them out a week early will allow questions to be put into writing and given to Tim Norris prior to the meeting. Leaving the strike through is

recommended so people can see the changes.

3. *Discussion Items That Were Not Reasonably Anticipated by the Chairperson (M.G.L., Chapter 30A – Section 18-25)*

4. Ms. Teixeira made the motion to adjourn at 8:38 pm. Ms. Liteplo seconded the motion. All in Favor.

The meeting adjourned at 8:39 pm.

Respectfully submitted by the Recording Secretary

The listing of matters includes those reasonably anticipated by the Chair in accordance with M.G.L., Chapter 30A, Section 18-25, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.