

ACTON-BOXBOROUGH REGIONAL SCHOOL COMMITTEE (ABRSC) MEETING  
Minutes (approved 6/8/17)

Auditorium  
AB Regional High School

May 24, 2017  
7:30 p.m.

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*Members Present:* Diane Baum, Brigid Bieber (7:45 p.m.), Mary Brolin, Amy Krishnamurthy, Tess McKinley, Paul Murphy, Kathleen Neville, Deanne O'Sullivan, Kristina Rychlik, Eileen Zhang  
*Members Absent:* Maya Minkin,  
*Others:* Beth Petr, School District Attorney David Mandel (Ropes & Gray), many members of the public

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1. The ABRSC was called to order by Chairperson Amy Krishnamurthy at 7:33 p.m.
2. **Chairperson's Introduction** – Amy Krishnamurthy read the statements:
  - 2.1. Statement from Dr. Brand and Dr. Brolin read at the 5/18/17 School Committee meeting
  - 2.2. School Committee Statement to respond to the public's emails and inquiries
  - 2.3. Review of Open Meeting Law Requirements:  
<http://www.mass.gov/ago/docs/government/oml/oml-guide.pdf>

The meeting was scheduled to try to address the many questions that have come up since the joint statement from the School Committee and Superintendent was read at the School Committee meeting on 5/18/17.

Amy Krishnamurthy thanked the many members of the community who were in attendance. The members of the Committee introduced themselves. Attorney David Mandel was introduced as the School District's attorney who was there due to the technical legal nature of some of the meeting issues.

A member of the public asked how a discussion of educational philosophies could take place in an executive session. He stated that he could not find these discussions in any of the open meeting minutes. Atty Mandel explained the reasons a Committee could enter executive session, including to consider discipline or dismissal of, or to hear complaints brought against a public officer, employee, staff member or individual, and to engage in negotiations with non-union personnel or to discuss strategy with respect to negotiations with non-union personnel. He further explained that if a topic comes up that is not related to the Executive Session reason, then the Committee would go out of Executive Session and continue in open meeting. However, if the topic is related, and relevant to the reason for the Executive Session, then that discussion can be done in Executive Session. Atty Mandel stated that he was not saying there was a disciplinary discussion held about Dr. Brand, or about any other specific person, but there was an executive session publicly posted for the reason cited. He emphasized that it would be completely inappropriate for the individual involved to be named in the minutes or until the minutes were approved for release to the public for Open Meeting Law reasons and the person's confidentiality. Minutes are not available yet.

A number of people expressed frustration that the reason in the joint statement saying the views and interests regarding the educational and operational philosophies of Dr. Brand and the School Committee are not aligned seemed to them to be inconsistent with what had been said in previous School Committee meetings. The End of Year Goals Report dated May 12, 2017 was mentioned as an example. Members of the public stressed the need for honesty and transparency. The Committee said that it understood and agreed with this need, however due to the legal nature of some of the issues, they could not provide details. Atty Mandel agreed.

Former School Committee Chair Mary Brolin pointed out that the signed Settlement Agreement has specific wording that restricts what can be said.

Another community member asked for the Separation Agreement. Amy Krishnamurthy stated that it would be posted on the website the next day (5/25/17). The community member stated that this situation (paying Dr. Brand through June 2018) is not going to help to gather community support for the upcoming building projects and overrides.

After a number of comments of support for Dr. Brand, a community member asked if the contract could be rescinded if both parties agree. Several people asked the Committee if they would consider asking Dr. Brand to renegotiate.

A request was made to enforce the 2 minute time limit for public speakers to ensure that there would be enough time to hear everyone.

A community member said that if there was divergence before the School Committee election and the Town Meetings, then she does not trust that the School Committee is acting as a representative body. Another person commented that this decision affects everyone in town, through their taxes and real estate. She asked the Committee if they considered getting a mediator to assist them. They said they did not.

A former Selectwoman said that she was upset about the level of decorum happening at the meeting, stating that there should be no laughing, heckling or speaking out of turn. The chairwoman had already asked the audience several times to be more respectful. It was suggested that clapping takes away time that could be spent listening to each other's views.

The School Committee members were asked to explain their own educational priorities and philosophies.

An online petitioner gave School Committee members a copy of 14 pages of comments from individuals, and a list of approximately 900 signers' names. She started the petition after attending the last School Committee meeting where the joint statement was read. She said that these people all support Dr. Brand.

People wanted to know how each School Committee member voted on the agreement for transparency and to restore trust. The School Committee cannot disclose the course of the Executive Session until the minutes are approved for release to the public. They asked that policies be changed to prevent this from happening again. A community member described feeling broadsided and upset because the taxpayers are the ones paying the money for it now.

Amy Krishnamurthy repeatedly stated that the Committee would love to share as much information as possible with the community but they are restricted by the laws and the agreement. It was a joint decision by Dr. Brand and the School Committee to negotiate the Agreement in executive session.

A community member expressed concern about how this looks regarding the budget, paying Dr. Brand for another year, just before the Town Meetings took place. If the District is going to lose our High School principal (Dr. Campbell is a finalist in another district), the community member hopes the selection committee going forward is much more transparent. The School Committee has every intention of doing that with community members involved.

A member of the public corrected the petitioner stating that he signed it because he wants to know what happened, not that he supports Dr. Brand or the School Committee.

Questions were asked about meeting minutes. Atty Mandel stated that minutes for all meetings are prepared. It is expected that the confidential minutes of the executive sessions held on 4/26/17 and 5/2/17 will be voted on in executive session for approval at the next regular School Committee meeting on June 8<sup>th</sup>. They will not be public documents until they are released and that would be when the reason for the executive session is no longer a rationale for maintaining confidentiality. They will be released as soon as legally appropriate.

A member of the public said that he knows the School Committee is doing their best, but asked what is being communicated to the faculty because they affect our students. Amy Krishnamurthy stated that Central Office Administrators have met with every principal and Assistant Principal at each of the schools.

Before moving on to the priorities discussion, the Chair stated that the Committee wanted to do the best thing for our students, and this was the best way in their judgement to handle the situation. In their annual summer workshop, the Committee will discuss the process and how their business can be more open, realizing the community needs more information within the limitations of the Massachusetts legal system.

### 3. Statement of District Priorities

- 3.1. Challenge Success
  - 3.1.1. School Schedules & Start Times
  - 3.1.2. Homework Policy
  - 3.1.3. Parent Engagement
- 3.2. Implementation of Multi-Tiered Support System
- 3.3. Assessing Culture and Climate of our School Communities
- 3.4. School Space & Capital Planning
- 3.5. Consideration of Change in School Start Times
- 3.6. Elementary School Funding Review

Amy Krishnamurthy read the School Committee's Statement of Purpose. Different Committee members talked about the group's priorities:

- Mary Brolin spoke about Challenge Success – spearheaded by Assistant Superintendents Deborah Bookis and Dawn Bentley, as well as Deputy Superintendent Marie Altieri and School Committee members. There will be a lot of continuity and commitment going forward in this exciting area.
- Paul Murphy talked about the Multi-Tiered Support System (MTSS) referencing the extensive report given at the School Meeting on 5/18/17. He looks forward to seeing that implemented under the continued leadership of Deborah Bookis and Dawn Bentley.
- Diane Baum mentioned the School Climate and Culture initiative and upcoming assessment survey. She stated that after 2 years of working with the committee members at the table, you will not find people more knowledgeable, passionate and dedicated to this district. The priorities for the district will stay the same. She referenced a description found in The Essential School Board Book (by Nancy Walser) about the School Committee is the bridge between the educational world and the public.
- Brigid Bieber spoke about the continued work on elementary school funding and that it will be a presentation at one of the next School Committee meetings. In response to members' own educational philosophies, Brigid stated that, over the course of her 11 years on school committee, the thing that has kept her going is a love of children. In her opinion, the most important thing we can do as a district is to foster a love of learning. That is what keeps her going on this Committee every day.
- Kristina Rychlik concluded that the Committee is committed to addressing the capital needs in the district and working with the MA School Building Authority (MSBA) heading into the Special Town Meetings in December. She will be chairing the School Building Committee.

Mary Brolin added that regarding her individual priorities, she agrees with Brigid. We need a district that provides a positive experience, not just academic, but social experiences too. The joy of learning needs to be fostered, so young people can be successful and find out what really excites them and identify their passion.

A member of the public asked if Dr. Brand would not agree with all of this because it is a statement of district priorities, and describes what the schools are doing now. The member said that there had to be disagreement

because that's what the statement said. Amy Krishnamurthy said she could not answer that because Dr. Brand was not there to say how his views were different from the School Committee's.

#### 4. **Public Participation**

<http://www.abschools.org/school-committee/policies/section-b> (See Policy BEDH)

The Committee was asked if School Choice was a priority for them and if Dr. Brand was aware of that when he was hired. Kristina Rychlik answered that yes it was a priority, and she was on the hiring committee and Dr. Brand was informed of that. Amy Krishnamurthy stated that the Committee is in full support of continuing school choice.

A former student said that the situation distresses him and it affects the students. He asked how the Committee will ensure that this won't happen again. Amy Krishnamurthy said it will be part of future discussions.

An AB teacher said that the faculty heard the announcement just like everyone else. She is on the Superintendent's Council and she had thought things were going in the right direction. She asked about the School Committee's operational philosophies.

Amy Krishnamurthy replied again that the Separation Agreement would be posted tomorrow. The way the statement was distributed was not the School Committee's decision. There are many groups, like the Superintendent's Council, that will continue because they are very important.

Mary Brolin replied, regarding operational philosophies, that community input and surveys and public forums are all important, including those for staff and faculty. The Committee wants to achieve all of these objectives in a way that the staff can function in a positive way.

A member of the public stated that the reason for executive session on 5/2/17 was negotiations, but that must not have been the starting point of the matter. There had to be a previous amount of discussion and he wanted to know where that took place. He asked for a different attitude from the Committee moving forward.

Another member of the public asked about the next hiring committee and process. He wanted to know what questions would be asked for the next process that were not asked for Dr. Brand. Mary Brolin and Brigid Bieber were not sure exactly what was asked last time, but agreed that an enormous amount of time was spent developing the questions. Mary suggested that one question might be how that individual would envision moving forward the initiatives previously mentioned.

A member of the Interschool Council (led by the Superintendent) stated that these priorities are all that are talked about at each meeting she attended. She would also like to see the operational philosophies of the School Committee, similar to what Dr. Brand posted.

Regarding why the District's Attorney Mandel was at the meeting, Amy Krishnamurthy explained that he is being paid to protect the district from a breach of contract because School Committee members are not attorneys (with one exception). This is a legal process and while the Committee wants to share as much information as possible with the public, there are strict limits to what can be said. Having Atty Mandel at the meeting showed how complicated and technical this situation is.

The member of the public thanked Dr. Brand "for leaving Acton better than he found it."

A community member described the problem as "toxic" now and was concerned that the District will not be able to attract any good candidates as a result. The Chair disagreed and replied that this is not something that has not happened in other districts. The community member asked Amy Krishnamurthy "if we can't attract a good candidate, would you consider stepping aside if that becomes a problem?" She replied, "fine."

A community member asked how the district will move forward, including how this will affect students and the budget. She was concerned if there would be something in the budget that will be impacted. Amy Krishnamurthy responded that we have an amazing support staff including our Deputy Superintendent, two Assistant Superintendents, Directors, Principals and all of the positions. She stated that these people have been working unbelievable hours on all of these things. The district will continue to function at the same high level because of the amazing talent that we have in this district. She hoped to start discussing next steps by the end of the meeting, if it did not get too late.

Former School Committee member Michael Coppelino had reviewed Dr. Brand's contract. Atty Mandel clarified that Dr. Brand resigned and his attorney asked to negotiate a separation agreement which was done. This agreement supersedes his employment agreement. Dr. Brand was not terminated by the School Committee. Michael asked for Dr. Brand's annual evaluations which are public documents. (Note: See posted School Committee materials for meetings held on 6/23/16 pages 33-67 and 6/25/15 pages 51-73.) He asked if there was anything else that Dr. Brand was provided other than what the School Committee members provided. He felt the evaluation was fairly positive last year. Amy Krishnamurthy stated that the Committee would release whatever is possible as soon as possible. Mike asked the Committee if they are comfortable that Dr. Brand was given a fair opportunity to rectify his behavior. Amy stated, "Yes, we are."

Allen Nitschelm asked the School Committee not to vote on any plan until all information that he has requested has been provided. Amy repeated that the Committee is committed to releasing all documents that they legally can, as soon as they can. Executive Session minutes will be voted at the June 8 School Committee meeting. The Committee cannot promise that they won't make decisions before all documents are released, because the District has to move forward.

A community member said that she had not heard one negative comment about Dr. Brand's work. She felt that the contract could be voided if both parties agreed. She asked that the requirement that candidates must have a PhD be considered. Mary Brolin stated that the Committee does not intend to renegotiate with Dr. Brand, because neither wants to do that.

A community member requested that regarding philosophy, when the Committee gets a new mandate from the state, please question it. He wants local control and not to worry about the state. He asked why Dr. Brand was not at the meeting. Amy stated that he was invited to the open meeting but chose not to attend.

A member asked how the Committee would resolve philosophical differences in the future. Mary Brolin replied that they would have more in depth conversations so they understand how they look at these issues and how they were implemented. It took time for some of these things to show up. Another member asked about the student screenings that took place around implementation of the Wellness Initiatives. Mary stated that there were no issues with the implementation of that activity.

A community member said there will be a lot of speculation due to the perceived lack of transparency. She went on to say that Asians are not appropriately represented in this School Committee so wanted to speak about her Asian culture. Everyone has different strengths and weaknesses. Her son wants all As, because he is that kind of kid. She said that some ethnic groups are more athletic, but Asians have other traits. She asked that when the School Committee is making decisions, they be very open-minded about Asian families who want the best of west and east, because there is nothing wrong with this, in her opinion.

Amy Krishnamurthy thanked this mother for her comments. The committee appreciates the perspectives of our different communities because they are so important. She asked the public to speak up about issues they consider important saying, "We need lots of different voices."

Paul Murphy said that he is excited about the Challenge Success work because for a child who bases his self-worth on different things (such as not only academics), this is ideal. There are many definitions of success.

Eileen Zhang highlighted the MTSS presentation slides (5/18/17 School Committee meeting) showing that the District currently has 30 % Asian students now. She said that cultures have a lot in common but there are differences. There is nothing wrong with wanting to win and be the best, but if a child is struggling, a parent could suggest a lower level history class if the child is not going to be a historian. Parents have to have balance to see where their children are.

The School Committee was asked by one person to consider requiring a minimum of a masters degree and PhD for future Superintendent candidates. She also asked that an interim superintendent (if one was chosen) not be considered for the permanent position. Amy Krishnamurthy said that those decisions have not been made or even been discussed yet.

The Committee was asked again how the process began and developed. They were asked what qualitative changes will result and what would be done to prevent this from happening again? Mary Brolin reiterated that it is very hard to talk about the process due to the agreement. Positive changes do need to happen and the Committee is thinking about that for their summer workshop. This is very difficult for all of the committee members. The Committee was asked about finances and if they considered any other ways to resolve the issue besides the extra year of salary. Mary replied that cost is always a concern for the Committee. They do what they believe is best for the district. They cannot discuss anything from the executive session. It was suggested that School Committee members put something on the website about their own philosophies.

ABRHS graduate Albert Kong wrote an article on cultural excellence recently for the Beacon regarding high achievers. He said that his parents were not pressuring him to take all high level classes, but the AB culture and community made him do it. He described that culture as “toxic” and asked, “How do we redefine excellence?” Kristina Rychlik replied that this is a perfect reminder for why the District embraced Challenge Success. Amy Krishnamurthy asked Albert to forward his article to the School Committee.

## 5. **Current Options**

### 5.1. Interim/Acting Superintendent starting July 1, 2017

5.1.1. The Deputy Superintendent is the Acting Superintendent in the absence of the Superintendent.

5.1.2. Term of Interim Superintendent

### 5.2. Do a full Superintendent Search

### 5.3. Consider a full Search after an Interim Superintendent has been in place for a certain time period

Due to the late hour, the Committee agreed to discuss the current options at the next meeting scheduled for Tuesday, 5/30/17 at 7:30 p.m. in the Jr High Library.

The ABRSC adjourned at 10:48 p.m.

Respectfully submitted,

Beth Petr

List of Documents Used: See Agenda, Public petition delivered by hand at the meeting, Email from E. Jacobson dated 5/24/17

## **NEXT MEETINGS:**

- Tuesday, May 30 - ABRSC Meeting at 7:30 p.m. in the Jr High Library (agenda posted 5/25/17)
- June 8 – ABRSC Meeting at 7:00 p.m. in the Jr High Library (material posted June 2)
- June 22 – ABRSC Meeting at 7:00 p.m. in the Jr High Library (material posted June 16)