

Agenda

Plainville School Committee Meeting
Tuesday, November 28, 2017
6:00 PM
Wood School Learning Commons
72 Messenger Street, Plainville, MA

1. CALL TO ORDER
2. APPROVAL OF MINUTES
 - a. October 24, 2017, Regular Session Minutes (Vote Required)
3. SHOWCASE
 - a. Video on the Jackson School Community Career Day held on October 20, 2017
4. COMMENTS BY CITIZENS AND FACULTY
5. COMMUNICATIONS AND AUDIENCES
6. COMMENDATIONS
7. ITEMS FROM SCHOOL COMMITTEE MEMBERS/COMMITTEE REPORTS
 - a. King Philip School Committee (Mrs. McEntee)
 - b. Negotiations Subcommittee (Mrs. Caprarella, Mrs. Clarke)
 - c. Budget Subcommittee (Mrs. McEntee, Mrs. Abrams)
 - d. Communications Subcommittee (Mrs. Abrams, Mr. Ikbal)
 - e. Town Building Committee (Mrs. Clarke)
 - f. Sick Leave Bank Committee (Mr. Ikbal)
 - g. Wellness Committee (Mr. Ikbal)
8. RESIGNATIONS, TRANSFERS, APPOINTMENTS AND LEAVES
 - a. Retirement
 - b. Resignation
 - c. Appointment
 - d. Maternity Leave
 - e. Medical Leave
9. SUPERINTENDENT'S REPORT
 - a. Student Learning Goals: 2016-17 (Final Report)
 - b. Student Learning Goals: 2017-18
 - c. Town of Plainville: Energy Reduction Plan
 - d. Memorandum of Agreement regarding Teacher Participation on Surveys
10. OLD BUSINESS
 - a. December 19, 2017 meeting: 5:30 p.m. regular meeting, and 6:00 p.m. budget subcommittee meeting

11. NEW BUSINESS

- a. BayState Textiles, \$69.00 (Vote Required)
- b. Policies: (Vote Required)
 - File GA/GCE/GCF, Recruitment, Screening and Selection of Staff
 - File GBA, Equal Opportunity Employment
 - File IHA, Basic Instructional Program
 - File ILA, Testing Programs
 - File JJ-R, Extra-Curricular Activities, Non-Disturbance Policy at School Functions
- c. Discussion: Parents Contacting Their Children In School
- d. Discussion: Digital Signage
- e. Discussion: Annual Report
- f. Legislative Update
- g. Any item(s) not anticipated at the time of posting

12. INFORMATION

- a. Enrollment, November 1, 2017
- b. School Council Minutes: October 4, 2017
- c. Process for Purchasing and Replacement of Fuel-Efficient Vehicles
- d. Revisions to Open Meeting Law Regulations (MASC Legal Alert Bulletin)

13. EXECUTIVE SESSION

14. FUTURE AGENDA ITEMS

- a. Calendar Committee (TBD)
- b. What Districts Need To Do Re: ESSA (TBD)
- c. Procurement Card Update (TBD)

15. ADJOURNMENT

Mission Statement:

The mission of the Plainville Schools is to promote lifelong learning throughout the community and to prepare students to become responsible, contributing members of a changing society by providing a challenging, rigorous educational program.

PLAINVILLE SCHOOL COMMITTEE MEETING
Minutes of October 24, 2017

Regular Session

CALL TO ORDER

The meeting was called to order by Vice Chairperson Linn Caprarella at 6:01 p.m. in the Wood School Learning Commons. Also present were Maggie Clarke, Charlene McEntee, and Superintendent Raiche. Absent: Amy Abrams and Javed Ikbai

Administrators Present: Kate Campbell, Principal, Anna Ware Jackson School
Edward Clarke, Administrator of Special Education and Support Services
Caron Ketchum, School Business Administrator
Robin Roberts-Pratt, Principal, Beatrice H. Wood School

APPROVAL OF MINUTES

MOTION by Maggie Clarke seconded by Charlene McEntee to approve the October 10, 2017 regular session minutes. So voted.

SHOWCASE

None.

COMMENTS BY CITIZENS AND FACULTY

None.

COMMUNICATIONS AND AUDIENCES

None.

COMMENDATIONS

None.

ITEMS FROM SCHOOL COMMITTEE MEMBERS/COMMITTEE REPORTS

a. King Philip School Committee-Mrs. McEntee

Mrs. McEntee said the King Philip School Committee met last week. Items on the agenda included:

- MASC: setting up the timeline for the Superintendent search
- Discussed the timelines for focus groups—not yet solidified
- Approved a self-sustaining ski team
- Approved the increase of some music fees
- Review of the MASC resolutions for the annual meeting in November
- Chose a municipal representative, Jim Lehan, from Norfolk
- Review of the Budget

a. Negotiations Subcommittee-Mrs. Caprarella, Mrs. Clarke

Mrs. Caprarella said the 1st quarterly meeting with the representatives from the Education Support Professionals was held yesterday. Mr. Raiche said a few items were addressed and are being followed up.

b. Budget Subcommittee-Mrs. McEntee, Mrs. Abrams

Nothing.

c. Communications Subcommittee-Mrs. Abrams, Mr. Ikbai

Nothing.

d. Town Building Committee-Mrs. Clarke

Mrs. Clarke reported that the Committee met on the 18th. Items reviewed:

- Continue to discuss the progress; however, a timeline is not yet confirmed. The 'old' Wood School is down with the exception of the foundation;
- Borrowing update: Funding has been secured for the entire project
- Recommendation: Conduct a Phase I environmental study on the current fire/police station
- Recommendation: Conduct a property condition assessment on the current town hall
- Bricks from 'old' Wood School are crumbling as they were removed, so the idea of obtaining a brick is no longer valid

e. Sick Leave Bank Committee-Mr. Ikbai

Mr. Raiche reported that the Sick Leave Bank Committee approved a request from a member of the Education Support Professionals union to receive 20 days from their sick leave bank. The Committee consisted of Mr. Ikbai, Mr. Raiche and Mrs. Mutascio, ESP, representative.

f. Wellness Committee-Mr. Ikbai

Mr. Clarke said the Committee met on October 12th and continued to look at specific steps of the wellness plan and how best to complete the steps. In addition, there are a couple of new members—a parent and an representative from Nike; Nike employees are planning to participate in some wellness activities including recess activities, field day and possibly some enrichment programs..

RESIGNATIONS, TRANSFERS, APPOINTMENTS AND LEAVES

a. Student Teacher: Superintendent Raiche reported that Linda Kavanah, a .5 preschool teacher, is seeking a second DESE certification. As a result, she will be completing student teaching starting in January 2018—some of the hours will be from her morning teaching time; however, most will be completed in the afternoon under the supervision of another teacher—in order to comply with the regulations to receive certification in Special Education, Moderate Disabilities, Prek-8.

Open Positions: In addition, he reported that he has met with Mrs. Whitaker and Mr. Stone regarding the open positions in their departments and will be meeting with Mrs. White to discuss the open position in her department. We will re-open the advertisement for a network administrator and facilities/maintenance/custodian. A candidate is being recommend by Mrs. White for the food service worker position at Jackson School.

SUPERINTENDENT'S REPORT

a. MCAS2.0 Results

Superintendent Raiche reported on the results of the next-generation MCAS2.0 assessment, which students took in the spring of 2017. In discussing the results with the Committee he informed them that the categories for the results changed to: Exceeding Expectations, Meeting Expectations, Partially Meeting Expectations and Not Meeting Expectations. In addition, he stated the new standards for meeting expectation are more rigorous than the previous standards for reaching proficiency, and the 2017 results will be used as a baseline as well as for comparison moving forward.

Mr. Raiche met yesterday with the principals and special education administrator to discuss the results. He plans to meet with teacher leaders to review said results and discuss an action plan for improvements, particularly in the areas of math and scores for students with disabilities. He will then prepare a more in-depth report and actions plans to share with faculty.

b. Regional Special Education Task Force Meeting

Mr. Raiche said he attended this afternoon's 1st regional special education task force meeting of the 2017-18 school year. Three other meetings will be scheduled throughout the year. The meeting today focused on sharing work on social/emotional learning. The discussion on transition to middle school will be discussed at a future meeting and Mrs. McEntee asked that the Committee continue to be informed about these meetings.

OLD BUSINESS

a. School Committee Goals for 2017-18

- Survey questions: Mrs. Clarke handed out the questions for the survey. The Committee would like to administer the survey soon and Mr. Raiche will work on preparing the survey tool.

NEW BUSINESS

a. Approval of Amendment to Bi-County Collaborative Agreement (Vote Required)

Superintendent Raiche informed the Committee that the BICO Board of Directors approved amendments to the Collaborative Agreement at their last meeting, and he provided the Committee with a copy of the revisions to the Agreement. Two districts have asked to become part of the Collaborative—Uxbridge and Hopedale.

MOTION by Maggie Clarke, seconded by Charlene McEntee, to approve the amendments to the Bi-County Collaborative Agreement as presented. So voted.

b. Report Card Committee-Update by Mrs. Campbell

Mrs. Campbell reported that at their meeting last week the Committee reviewed the survey results from last spring; It was determined that when rubrics are sent home to parents regularly, the understanding of the level students receive on the report card is better understood. The Committee would like to have all grade levels be consistent in the rubrics they send home on a regular basis. The goal is for parents to have a clear vision of student learner qualities and the grading system of the report card.

c. FY2018 Grant Summary (Vote Required)

MOTION by Charlene McEntee, seconded by Maggie Clarke, to approve the FY2018 grant summary, totaling \$253,911.00. So voted.

d. Approval of Policy Requiring Purchase and Replacement of Fuel-Efficient Vehicles (Vote Required)

Superintendent Raiche asked the Committee to establish a requirement that the Plainville Public Schools purchase only fuel-efficient vehicles for municipal use in order to comply with criteria from the MA Department of Energy Resources Green Communities. He had a request from the Town Administrator for the school department to have a policy in order for the town to receive 'green community' status. Mrs. Rieger contacted MASC regarding whether a policy like this is available at MASC and she has not yet received a response. Mrs. McEntee questioned whether it should be a policy and suggested it be a procedure. Discussion ensued.

MOTION by Charlene McEntee, seconded by Linn Caprarella, to approve a set of purchasing procedures for the purchase and replacement of fuel-efficient vehicles. So voted.

e. MASC Resolutions (Vote Required)

MOTION by Charlene McEntee, seconded by Linn Caprarella to approve the seven (7) Resolutions which will be voted on at the annual MASC meeting on Wednesday, November 1, 2017 as presented unless a committee member opposes a particular resolution and to give the delegate(s) the authority to vote for or against a particular resolution.

The Committee decided to review each resolution. Mrs. Clarke is not in favor of Resolution 4 and Mrs. Clarke and Mrs. McEntee would like to see language in Resolution 7 revised. As a result,

MOTION to amend the aforementioned motion, as Mrs. Clarke opposing Resolution 4 and Mrs. Clarke and Mrs. McEntee amending language in Resolution 7 to say 'MASC urges the Congress to preserve the Medicaid reimbursements of the Affordable Care Act' and to notify Mr. Ikbal, delegate, and Mrs. Abrams, alternate delegate of such. So voted.

f. FY2019 Budget Timeline and Guidelines (Vote Required)

Mr. Raiche shared the timeline and guidelines; there are date changes on the timeline: forward staffing plan to budget subcommittee is December 1, 2017 and forward line item requests to budget subcommittee is December 8, 2017.

MOTION by Charlene McEntee, seconded by Maggie Clarke to approve the FY2019 budget timeline and guidelines with the corrections noted above. So voted.

g. Legislative update

None.

h. Any item(s) not anticipated at the time of posting

Use of Facility Request (Vote Required)

Superintendent Raiche said a request came to his office on Friday, October 20, 2017 for the Sullivan/Stewart Irish Dance Studio, located in Plainville, to use the Wood School cafetorium on Saturday, November 4, 2017, from approximately 11:30 am to 4:30 pm.

MOTION by Charlene McEntee, seconded by Maggie Clarke to approve the Sullivan/Stewart Irish Dance Studio to use the Wood School cafetorium on Saturday, November 4, 2017 from 11:30 am to 4:30 pm. So voted.

INFORMATION

There was no discussion on items in information.

EXECUTIVE SESSION

None.

ADJOURNMENT

MOTION by Maggie Clarke seconded by Charlene McEntee, to adjourn at 7:02 p.m. So voted.

Respectfully submitted,

Susan M. Rieger, Recording Secretary

Meeting Handouts:

- Agenda
- Minutes from October 10, 2017
- Memo on Student Teacher
- Superintendent's Report and documents on MCAS2.0
- New Business:
 - Memo and Revised Agreement, Bi-County Collaborative
 - Memo and listing of FY2019 Grants as well as FY17 and FY18 grants
 - Memo on recommendation to adopt a policy on the purchase and replacement of fuel-efficient vehicles
 - Copy of the Report of the Resolutions Committee (MASC)
 - FY2019 Budget Timeline and Guidelines
 - Use of Facility Request: Sullivan/Stewart Irish Dance Studio
- Information:
 - School Council minutes from May 3, 2017
 - Bi-County Collaborative Quarterly Report as of October 3, 2017
 - Food Service Reports through June 2017
 - Quarterly Reports of FY18 Budget and Revolving Accounts, September 30, 2017



PLAINVILLE PUBLIC SCHOOLS

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PLAINVILLE, MASSACHUSETTS
02762

David P. Raiche
Superintendent of Schools

Telephone: (508) 699-1300
Fax: (508) 699-1302
Email: draiche@plainville.k12.ma.us

Date: November 21, 2017

To: School Committee
From: David P. Raiche, Superintendent
Re: Resignations, Transfers, Appointments, and Leaves

The following retirement has been received:

Bradford White	Custodian (effective December 31, 2017)
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The following resignation has been received:

Kathleen Madden	Supervisory Paraprofessional at Jackson
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The following appointment has been made:

Susan Sorel	Supervisory Paraprofessional at Jackson
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Maternity Leave:

Elizabeth Barboza will be on maternity leave from approximately December 13, 2017 to February 16, 2018; Christine Yanni has been transferred from her .5 preschool paraprofessional position to the long-term substitute for Ms. Barboza's teacher position in preschool. A substitute paraprofessional will be hired to fill in for Mrs. Yanni's .5 preschool paraprofessional position.

Medical Leave:

Ricardo Sousa will be on a medical leave from approximately November 30, 2017 to April 1, 2018. A substitute custodian will be hired and interviews will be conducted on November 27, 2017.

SUPERINTENDENT'S REPORT

a. Student Learning Goals: 2016-17 Final Report

Now that we have received our MCAS 2.0 scores I have completed the 2016-17 report which contains the Student Learning Goals I identified last year. As you may recall, I already adopted Student Learning Goals for 2017-18 as set by each grade level team. Tonight I have proposed additional MCAS 2.0 goals for the 2017-18 school year.

b. Student Learning Goals: 2017-18

Please review the attached document which now includes four (4) additional goals related to MCAS performance and growth.

c. Town of Plainville: energy Reduction Plan

I recently received a draft copy of the town's energy reduction plan. As you may know, the town must develop a plan that would result in at least a 20% decrease in energy use by the end of fiscal year 2021 to qualify for grant funds. Caron, Bob and I will be meeting with Jen Thompson and Rachel Benson on Thursday, November 30, 2017 to review the list of activities scheduled for action (see pages 11 and 18) in years 1-3 of the plan.

d. Memorandum of Agreement regarding Teacher Participation on Surveys

In an effort to increase participation and decrease concerns regarding the participation of teachers in teacher surveys I worked with Laura Schoonmaker and Carl Stamm to create a memorandum of agreement which basically outlines our current practice. Please note the section which references Appendix B – Sections 23 and 24. This pertains to the use of student and staff surveys as part of the educator evaluation process.

Superintendent's Student Learning Goals 2016-17

English Language Arts

Goal	Result
Students in grades 4-6 will demonstrate growth at a percentile rate of 62.0 or above on the 2017 MCAS 2.0 ELA assessment	Students in grades 4-6 demonstrated growth at a percentile rate of 58.0
Special education students in grades 4-6 will demonstrate growth at a percentile rate of 55.0 or above on the 2017 MCAS 2.0 ELA assessment	Special education students in grades 4-6 demonstrated growth at a percentile rate of 55.0

Reading

Goal	Result
98% of students in grades K-3 and identified students in grades 4-6 who score on levels A-K on the Fountas and Pinnell assessment at the beginning of the year will improve their score by 3 or more levels by the end of the year	96% of all students in grades K-3 met the goal. The average gains was 5.9 levels. 2 of 3 students in grades 4-6 met this goal. The average gain was 7.0 levels.
90% of students in grades K-3 and identified grade 4-6 students who score on levels L-U on the Fountas and Pinnell assessment at the beginning of the year will improve their score by 2 or more levels by the end of the year	90% of all students in grades K-3 met the goal. The average gain was 3.0 levels. 60% of identified students in grades 4-6 met the goal. The average gain was 2.0 points.

Writing

Goal	Result
90% of kindergarten students will improve their writing performance by 2 or more levels	92% of kindergarten students met the goal. The average gain was 2.9 levels.
70% of students in grades 1-3 will improve their writing by 5 or more points (28 point rubric)	69% of grade 1-3 students met the goal. The average gain was 6.1 points.
75% of students in grades 4-5 will improve their writing performance by 5 or more points (28 point rubric)	64% of grade 4 and 5 students met this goal. The average gain was 5.6 points.
75% of students in grade 6 will improve their writing performance by 4 or more points (24 point rubric)	82% of grade 6 students met this goal. The average gain was 5.8 points.

Mathematics

Goal	Result
Students in grades 4-6 will demonstrate growth at a percentile rate of 66.0 or above on the 2017 MCAS 2.0 math assessment	Students in grades 4-6 demonstrated growth at a percentile rate of 62.0
Special education students in grades 4-6 will demonstrate growth at a percentile rate of 54.0 or above on the 2017 MCAS 2.0 math assessment	Special education students in grades 4-6 demonstrated growth at a percentile rate of 53.0
75% of students in grades 1-5 will score 3 or higher in the area of JUSTIFICATION on the 16-point Problem Solving and Perseverance in Math rubric	43% of grade 1-5 students met this goal.
75% of students in grade 6 will score 3 or higher in the area of EXPLANATION on their 16-point Writing in Math rubric	43% of grade 6 students met this goal on average throughout the year.

English Language Arts and Mathematics

Goal	Result
50% of students in grades 3-6 will demonstrate proficiency on the 2017 ELA MCAS 2.0 <u>AND</u> the 2017 Math MCAS 2.0	40% of students in grades 3-6 demonstrated proficiency on both tests
The percent of students in grades 2-6 who do not demonstrate proficiency on EITHER the 2017 ELA or Math MCAS 2.0 will not exceed 25%	36% of students in grades 3-6 did not demonstrate proficiency in either test

Goal Summary

❖ Exceeded

- Writing growth in kindergarten
- Writing growth in grade 6

❖ Partially or Nearly Met

- ELA growth on the 2017 MCAS (special education students)
- Reading growth in grades 1-3
- Writing growth in grades 1-3
- Math growth on the 2017 MCAS (special education students)

❖ Did Not Meet

- ELA growth on the 2017 MCAS (all students)
- Writing growth in grades 4 and 5
- Math growth on the 2017 MCAS (all students)
- Math performance on a common assessment in grades 1-5
- Math performance on common assessments in grade 6
- Proficiency on the 2017 MCAS in both ELA and Math
- Proficiency on the 2017 MCAS in either ELA or Math

ELA Goals:

Met = 1

Partially Met = 2

Did Not Meet = 1

Writing Goals:

Exceeded = 2

Nearly Met = 1

Did Not Meet = 1

Math Goals:

Nearly Met = 1

Did Not Meet = 3

Plainville Public Schools Student Learning Goals 2017-18

Reading

Kindergarten

- 90% of all students will improve their score by 3 or more levels on the Fountas & Pinnell Benchmark Assessment when comparing their beginning of year scores to end of year scores
- 90% of students with disabilities who score at levels A-K on the Fountas and Pinnell Beginning of Year Benchmark Assessment will improve their score by 2 or more levels by the end of the 2017-18 school year
- 85% of students with disabilities who score at levels L-Z on the Fountas & Pinnell Beginning of Year Benchmark Assessment will improve their score by 1 or more levels by the end of the 2017-18 school year

Grade 1

- 98% of all students will score on-level or higher on the Fountas & Pinnell Benchmark Assessment by the end of the 2017-18 school year
- 90% of students with disabilities who score at levels A-K on the Fountas and Pinnell Beginning of Year Benchmark Assessment will improve their score by 2 or more levels by the end of the 2017-18 school year
- 85% of students with disabilities who score at levels L-Z on the Fountas & Pinnell Beginning of Year Benchmark Assessment will improve their score by 1 or more levels by the end of the 2017-18 school year

Grade 2

- 98% of all students reading at levels A-K on the beginning of year Fountas & Pinnell Benchmark Assessment will improve their score by 3 or more levels by the end of the 2017-18 school year
- 90% of all students reading at levels L-Z on the beginning of year Fountas and Pinnell Benchmark Assessment will improve their score by 2 or more levels by the end of the 2017-18 school year

- 90% of students with disabilities reading at levels A-K on the beginning of year Fountas & Pinnell Benchmark Assessment will improve their score by 4 or more levels by the end of the 2017-18 school year
- 85% of all students with disabilities reading at levels L-Z on the beginning of year Fountas & Pinnell Benchmark Assessment will improve their score by 3 or more levels by the end of the 2017-18 school year

Grade 3

- 95% of all students reading at levels A-K on the beginning of year Fountas & Pinnell Benchmark Assessment will improve their score by 4 or more levels by the end of the 2017-18 school year
- 90% of all students reading at levels L-Z on the beginning of year Fountas and Pinnell Benchmark Assessment will improve their score by 3 or more levels by the end of the 2017-18 school year
- 95% of all students with disabilities reading at levels A-K on the beginning of year Fountas and Pinnell Benchmark Assessment will improve their score by 4 or more levels by the end of the 2017-18 school year
- 90% of all students with disabilities reading at levels L-Z on the beginning of year Fountas and Pinnell Benchmark Assessment will improve their scores by 3 or more levels by the end of the 2017-18 school year

Grades 4, 5, and 6

- 98% of all students who score at levels A-K on the beginning of year Fountas & Pinnell Benchmark Assessment will improve their score by 3 or more levels by the end of the 2017-18 school year
- 90% of all students who score at levels L-Z on the beginning of year Fountas & Pinnell Benchmark Assessment will improve their score by 2 or more levels by the end of the 2017-18 school year

MCAS-ELA

Grades 3, 4, 5, and 6

- Increase performance scores on the Spring 2018 MCAS test by 3% or more for each grade level cohort and increase performance scores by 10% or more for students with disabilities

	<u>2017</u>	<u>2018</u>
Grade 3	50%	53%
Grade 4	59%	53%
Grade 5	43%	62%
Grade 6	60%	46%
Gr. 3-6 All students	52%	55%
Gr. 3-6, Students/Disabilities	6%	16% or above

Grades 4, 5, and 6

- Each grade level cohort will score above average (60% or above) on the student growth score and the students with disabilities subgroup will also score above average

	<u>2017</u>	<u>2018</u>
Grade 4	67%	60% or above
Grade 5	48%	60% or above
Grade 6	61%	60% or above
Gr. 4-6 All students	58%	60% or above
Gr. 4-6, Students/Disabilities	55%	60% or above

**Plainville Public Schools
Student Learning Goals
2017-18**

Writing

Kindergarten

- 90% of all students will improve their writing performance by 2 or more levels by the end of the 2017-18 school year

Grade 1

- 65% of all students will demonstrate proficiency by the end of the 2017-18 school year
- 75% of students with disabilities will improve their writing score by 7 or more points on a 20-point rubric and in two or more areas identified by grade 1 teachers by the end of the 2017-18 school year

Grade 2

- 70% of all students will improve their writing score by 5 or more points on the 28-point rubric by the end of the 2017-18 school year and also improve in one focus area as identified by the grade 2 teachers in the fall of 2017
- 75% of students with disabilities will improve their writing score by 7 or more points on a 28-point rubric and in two or more areas identified by grade 2 teachers by the end of the 2017-18 school year

Grade 3

- 75% of all students will improve their writing score by 7 or more points on the 28-point rubric by the end of the 2017-18 school year and also improve in two or more focus areas as identified by the grade 3 teachers in the fall of 2017 (elaborate detail, main event, fluency/mechanics)

- 75% of students with disabilities will improve their writing score by 7 or more points on the 28-point rubric by the end of the 2017-18 school year and also improve in two or more focus areas as identified by the grade 3 teachers in the fall of 2017 (elaborate detail, main event, fluency/mechanics)

Grade 4

- 75% of all students will improve their writing score by 5 or more points on the 28-point rubric by the end of the 2017-18 school year.
- 75% of all students will also demonstrate improvement in the area of Main Event by the end of the 2017-18 school year.

Grade 5

- 75% of all students will improve their writing score by 5 or more points on the 28-point rubric by the end of the 2017-18 school year.
- 75% of all students will demonstrate improvement in one or more focus areas as identified by the grade 5 teachers in the fall of 2017

Grade 6

- 75% of all students will improve their writing score by 5 or more points on the 20-point rubric by the end of the 2017-18 school year.
- 75% of all students will improve their score in the area of organization by 1 or more points by the end of the 2017-18 school year.

**Plainville Public Schools
Student Learning Goals
2017-18**

Mathematics

Grade K

- 80% of grade K students will improve their math writing performance by one or more levels on the 4 point problem solving rubric by the end of the year
- Students rates as “progressing” with a score of 2 at the beginning of the year will gain at least 1 level by the end of the year
- Students rated as “not meeting standard” with a score of 1 at the beginning of the year will grow at least 2 levels by the end of the year

Grades 1-5

- 75% of grade 1-5 students will score 3 or higher in the area of JUSTIFICATION on the 16-point Problem Solving and Perseverance Math Rubric by the end of the school year

Grade 6

- 75% of grade 6 students will score 3 or higher in the area of EXPLANATION or JUSTIFICATION or ARGUMENT in the 16-point Problem Solving and Perseverance Math Rubric by the end of the school year

Mathematics MCAS

Grades 3, 4, 5, and 6

- Increase performance scores on the Spring 2018 MCAS test by 5% or more for each grade level cohort and increase performance scores by 7% or more for students with disabilities

	<u>2017</u>	<u>2018</u>
Grade 3	42%	47%
Grade 4	40%	47%
Grade 5	37%	45%
Grade 6	79%	42%
Gr. 3-6 All students	49%	54%
Gr. 3-6, Students/Disabilities	18%	25% or above

Grades 4, 5, and 6

- Each grade level cohort will score average (between 40% and 60%) on the student growth score

	<u>2017</u>	<u>2018</u>
Grade 4	36%	40% or above
Grade 5	51%	40% or above
Grade 6	93%	40% or above

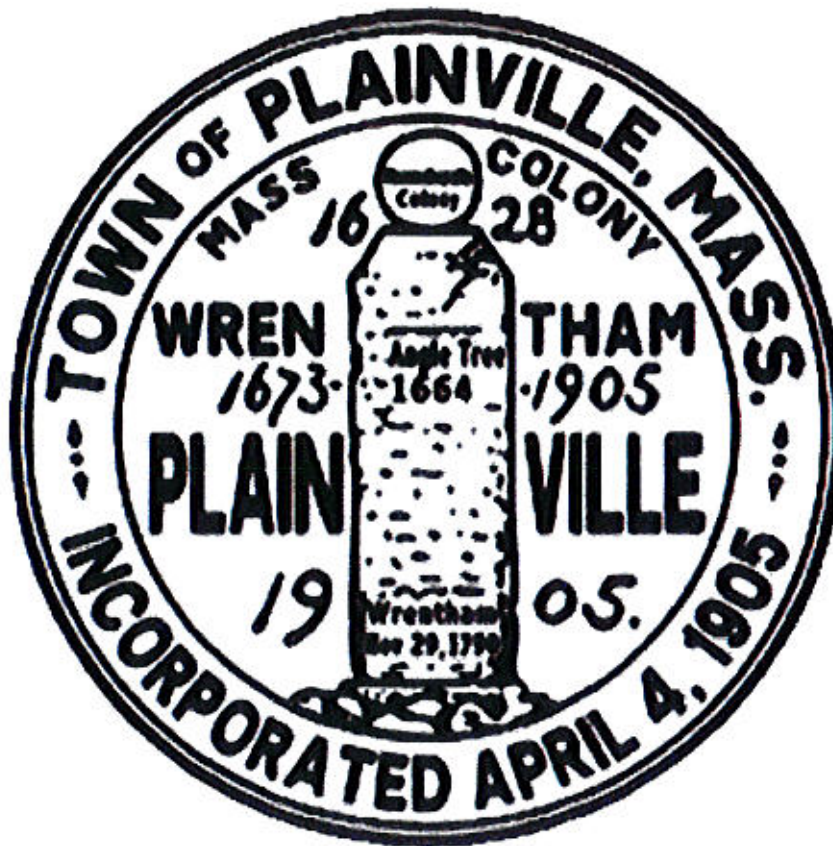
- The average student growth score for all students will be above average (60% or above) and the average growth score for the students with disabilities subgroup will also be above average.

	<u>2017</u>	<u>2018</u>
Gr. 4-6 All students	62%	60% or above
Gr. 4-6, Students/Disabilities	56%	60% or above

Town of Plainville, Massachusetts

Energy Reduction Plan

Prepared by the Southeast Regional Planning and Economic Development
District (SRPEDD) with support from the Town of Plainville



In Fulfillment of the
Massachusetts Green Communities Grant Program
Criterion #3

October 2017

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I. Purpose and Acknowledgements

A. Letter from General Government Verifying Adoption of the Energy Reduction Plan

B. Letter from School District Verifying Adoption/Approval of the Energy Reduction Plan

B. List of Contributors

The collaborative efforts of the offices of Plainville Town Administrator Jennifer Thompson, Plainville Energy Committee Chairperson Rachel Benson, and MA Department of Energy Resources Green Community Regional Coordinator Seth Pickering were all vital in the production this Plan.

Much of the information in this Plan was derived from energy audits performed by Energy Conservation, Inc., led by Christopher Collins. Additional technical assistance was provided by the Southeast Regional Planning and Economic Development District (SRPEDD), the author of this Plan.

II. Executive Summary

A. Narrative Summary of the Town

The Town of Plainville is located in southeastern Massachusetts in southwest Norfolk County. It is located 31 miles southwest of Boston and 14 miles north of Providence, Rhode Island. The town has an approximate area of 11.5 square miles and is bordered by Wrentham on the north; Foxborough on the east; Mansfield on the southeast; North Attleborough on the south; and Cumberland, Rhode Island on the west. According to the 2010 U.S. Census, Plainville had a population of 8,264, having experienced a 7.5% increase in population since 2000.

The Town of Plainville was first settled in the late 17th century and was originally a part of the Town of Wrentham. In 1905, Plainville separated from Wrentham and became its own community, making it the third youngest community in the Commonwealth, behind Millville (1916) and East Brookfield (1920).

Today, Plainville can be described as a desirable bedroom community for both Boston, Massachusetts and Providence, Rhode Island. Plainville experienced dramatic growth after World War II as the many farms in town were developed into housing and commercial activity spread out along the town's major roadways; Route 1, 1A, 106, 152. Plainville is accessible to the larger southeastern Massachusetts region via nearby Interstates 95 and 495. Most recently, Plainville became home of the first casino in Massachusetts – Plainridge Park Casino, located at the intersection of Route 1 and Interstate 495 in the northeast corner of town.

B. Summary of Municipal Energy Uses

- Total Number of Municipal Buildings: 9
- Total Number of Municipal Vehicles: 84
- The Number of Street Lights and Traffic Lights: 67
- Water & Sewer: Town of Plainville Water & Sewer Department

Table 1: Municipal Energy Use Summary

	Number	Ownership
Buildings		
Oil Heat	2	Municipality
Natural Gas Heat	7	Municipality
Propane Heat	0	
Biomass Heat	0	
Electricity	0	
Other Type Heat	0	
Vehicles		
Non-Exempt	0	
Exempt	84	Municipality
Street Lights	59	Municipality
Traffic Lights	8	Municipality
Water & Sewer		
Drinking Water Treatment Plant	2	Municipality
Wastewater Treatment Plant	0	

C. Summary of Energy Use Baseline and Plans for Reductions

Figure 1: Municipal Energy Use Baseline Dashboard from MEI (FY2016)

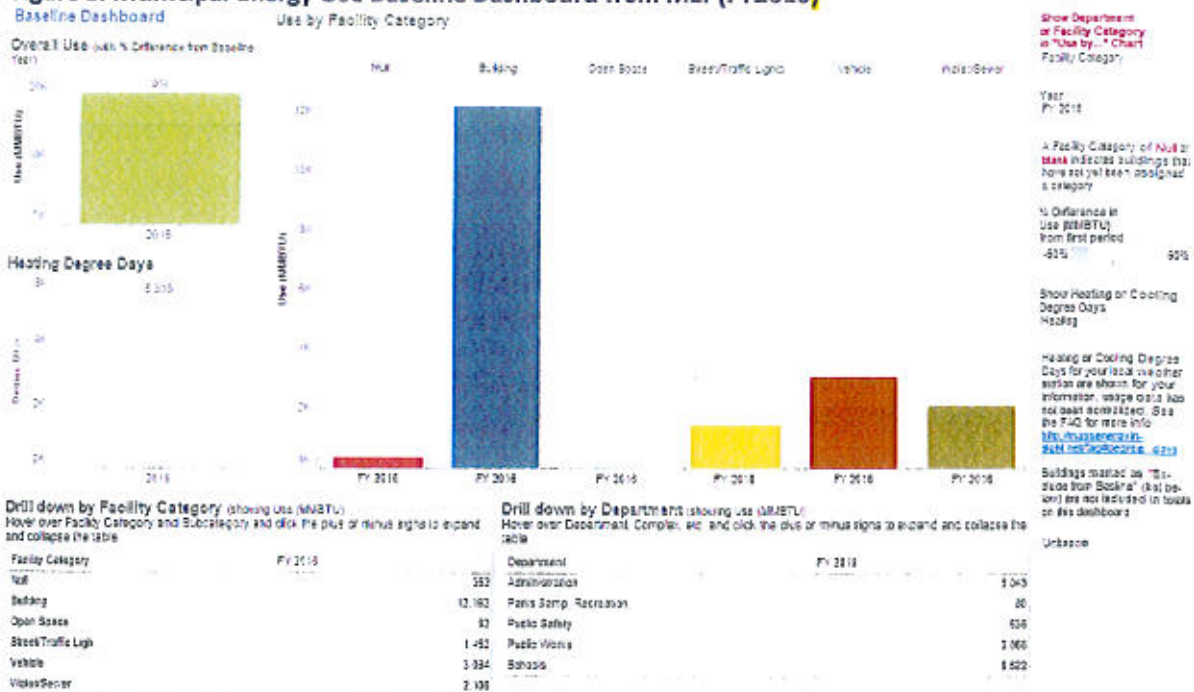


Table 2: Summary of Municipal Energy Use: Baseline Year FY2016

Category	MMBTU Used In Baseline Year	% of Total MMBtu Baseline Energy Consumption	Projected Planned MMBtu Savings	Savings as % of Total MMBtu Baseline Energy Consumption
Buildings	12,192	63.3%	2,697	14.0%
Vehicles	3,094	16.1%	433	2.2%
Street/Traffic Lights	1,452	7.5%	726	3.8%
Water/Sewer/Pumping	2,106	10.9%	0	0.0%
Open Space	52	0.3%	0	0.0%
Null	352	1.8%	N/A	N/A
Total	19,248	100%	3,856	20%

III. Energy Use Baseline Inventory

A. Identification of the Inventory Tool Used: The Town of Plainville used the Department of Energy Resources (DOER) MassEnergyInsight (MEI) web-based energy inventory and analysis tool.

B. Identification of the Baseline Year: Fiscal Year (FY) 2016 will serve as the baseline year. FY2016 ran from July 1, 2015 to June 30, 2016. This will give the Town the maximum amount of time (FY2017 - FY2021) to reach its 20% energy reduction goal.

C. Municipal Energy Consumption for the Baseline Year (FY2016): During the FY2016 baseline year, the town used 19,248 MMBTUs of energy. Table 3 and 4 presents energy use for each municipal facility in native units and MMBTUs.

In order to reach the Green Communities goal of reducing energy consumption by 20%, Plainville will need to reduce its energy consumption by 3,856 MMBTUs.

Buildings: Plainville's 9 buildings use 12,192 MMBTUs, around 63.3% of Plainville's total municipal energy use. The buildings with the largest energy use are the Anna Ware Jackson Elementary School (5,110 MMBTUs) and the Beatrice H. Wood School Elementary School (4,490 MMBTUs), as shown in Figure 2.

Street/Traffic Lights: There are 59 streetlights and 1 traffic light in Plainville. These lights consume 1,452 MMBTUs, 7.5% of the Town's energy use.

Vehicles: Plainville's 84 municipal vehicles use 16.1% of the baseline total, or 3,094 MMBTUs.

Water/Sewer Facilities: The Town of Plainville is serviced for water and wastewater by the Town's Water/Sewer Department. Water/Sewer facilities consume 2,106 MMBTUs, or 10.9% of the town's energy use.

Table 3: Municipal Energy Consumption for Baseline Year FY2016 (Native Units)
ERP Guidance Table 3a - Municipal Energy Consumption for 2016 (Native Fuel Units)

		2016		
		Electric (kWh)	Gas (therms)	Gasoline (gallons)
Null	Null		3,300	
	Total		3,300	
Building	Beatrice H Wood ES	544,209	26,327	
	Anna Ware Jackson ES	551,600	32,284	
	Fire & Police	186,472		
	Senior Center	40,587	1,431	
	Historical Commission	240		
	Town Hall	27,530	10,718	
	Old Wood School	6,486		
	Library	33,280	3,654	
	Park Building	8,278		
	Total	1,398,673	74,414	
Open Space	Gazebo	579		
	Pool	14,080		
	Ballfield	549		
	Total	15,208		
Street/Traffic Lights	Lighting	287,004		
	Lighting	24,179		
	Lights	108,031		
	Lighting	6,474		
	Total	425,688		
Vehicle	Vehicles			24,953
	Total			24,953
Water/Sewer	Sewer	2,328	10	
	Pumps	610,226		
	Water Tank	4,308		
	Total	616,862	10	
Grand Total		2,456,431	77,724	24,953

Table 4: Municipal Energy Consumption for Baseline Year FY2016 (MMBTU)

ERP Guidance Table 3b - Municipal Energy Consumption for 2016 (MMBTU)

Please make sure that any data submitted to DOER contains complete Data!

		2016			
		Electric	Gas	Gasoline	Total
Null	Null		330		330
	Total		330		330
Building	Beatrice H Wood ES	1,857	2,633		4,490
	Anna Ware Jackson ES	1,882	3,228		5,110
	Fire & Police	636			636
	Senior Center	138	143		282
	Historical Commission	1			1
	Town Hall	94	1,072		1,166
	Old Wood School	22			22
	Library	114	365		479
	Park Building	28			28
	Total	4,772	7,441		12,214
Open Space	Gazebo	2			2
	Pool	48			48
	Ballfield	2			2
	Total	52			52
Street/Traffic Lights	Lighting	979			979
	Lighting	82			82
	Lights	369			369
	Lighting	22			22
	Total	1,452			1,452
Vehicle	Vehicles			3,094	3,094
	Total			3,094	3,094
Water/Sewer	Sewer	8	1		9
	Pumps	2,082			2,082
	Water Tank	15			15
	Total	2,105	1		2,106
Grand Total		8,381	7,772	3,094	19,248

IV. Energy Reduction Plan

A. Narrative Summary

1. Overview of Plan Goals Years 1-3:

- **Anna Ware Jackson School**

Interior Lighting: Replacement of recessed 2'x4' systems with advanced recessed volumetric adaptive systems featuring integrated sensors that enable each fixture to dim relative to the amount of daylight in the room and control each fixture based on occupancy. Also, all exterior high intensity discharge (HID) and compact fluorescent lighting are proposed to be replaced with new LED wall packs and floodlights.

Boiler Replacement: The existing boilers will be replaced with new high-efficiency condensing boilers with a 96% efficiency rating. These boilers have turn-down modulation controls that allows the system to run at varying speeds.

VFD Installation on Heating Hot Water Pumps (HWPs): Installation of the new VFDs to control the HWPs will reduce the runtime by determining first if the pumps need to run, then adjusting run speed based on supply and return differential temperature. As this delta T drops below 10 degrees, the VFDs will slow the pumps down as there is not much need for heating in the system. This will reduce both gas and electrical usage.

- **Beatrice H. Wood School**

Interior Lighting: Improvements include custom Light Emitting Diode (LED) adaptive fixtures with integrated motion and daylight sensors. Also, exterior lighting at the School will be converted to LED fixtures.

Boiler Replacement: The existing boiler will be replaced with new high-efficiency condensing boilers with a 96% efficiency rating. These boilers have turn-down modulation controls that allows the system to run at varying speeds.

- **Public Safety Building (Police & Fire)**

Interior Lighting: Improvements consist of replacement of recessed 2'x2' and 2'x4' systems with advanced recessed volumetric adaptive systems featuring integrated sensors that enable each fixture to dim relative to the amount of daylight in the room and control each fixture based on occupancy. Strip fixtures in the Equipment Bays would be retrofitted with new LED strip retrofits. The exterior HID fixtures would be replaced with new LED flood and wall pack fixtures.

Unit Heater Upgrades: The (4) existing unit heaters will be replaced with ultra-high efficiency Reznor Unit heaters. These unit heaters are up to 93% efficient compared to the existing systems 78% efficiency. Significant reduction in usage could be achieved when the system is right sized for the space and maximize use of high efficiency equipment.

- **Highway Building**

Interior Lighting: Improvements include replacement of recessed 2'x4' systems with advanced recessed volumetric adaptive systems featuring integrated sensors that enable each fixture to

dim relative to the amount of daylight in the room and control each fixture based on occupancy. The surface strip systems are proposed to be retrofitted with LED kits, converting existing standard fluorescent strip fixtures to an LED format. The exterior HID fixtures are recommended and proposed to be replaced with new LED flood and wall pack fixtures.

- **Historical Commission**

Interior Lighting: Improvements consist of replacement of surface mounted strip fixtures and track heads with new LED wraps and LED screws in lamps.

- **Library**

Interior Lighting: Improvements consist of the replacement of recessed 2'x4' systems with advanced recessed volumetric adaptive systems featuring integrated sensors enabling each fixture to dim relative to the amount of daylight in the room and control each fixture based on occupancy. The retrofit of surface strip systems with kits would also be installed, converting existing standard strip fixtures to an LED format. The suspended fixtures in the circulation desk and stacks are proposed to be retrofitted with TLED lamps.

- **Parks Building**

Interior Lighting: Improvements consist of the replacement of the recessed 2'x4' systems with new LED volumetric systems that include advanced adaptive systems featuring integrated sensors that enable each fixture to dim relative to the amount of daylight in the room and control each fixture based on occupancy. All exterior HID and incandescent lighting was already replaced with new LED fixtures.

2. Overview of Plan Goals Years 4-5:

- **Senior Center**

Interior Lighting: Improvements consist of the replacement of the recessed 2'x4' systems with new LED volumetric systems that include advanced adaptive systems featuring integrated sensors enabling each fixture to dim relative to the amount of daylight in the room and control each fixture based on occupancy. Back of house fixtures to be retrofitted to LED linear fixtures. All exterior HID and compact fluorescent lighting was previously replaced with new LED wall packs and downlights.

Energy Management System Controls for RTU Enthalpy Control, Pump Lead/Lag, and Boiler OA Settings: Installation of new energy management system (EMS) controls for boilers and pumps will help control the operation of equipment to optimize operational energy efficiency. Boilers can be controlled for outside air (OA) lockout and temperature reset. Pumps can be sequenced and setup for proper alarming. RTU units can use multiple inputs to determine how much OA is needed in the space. This can reduce the need to condition fresh air. Unit can also be scheduled for night setback and can be monitored in case of failure or improper operation.

Boiler Replacement: The existing boiler will be replaced with a new high-efficiency condensing boiler with a 96% efficiency rating. The proposed boilers have turn-down modulation controls that allow the system to run at varying speeds.

- **Town Hall**

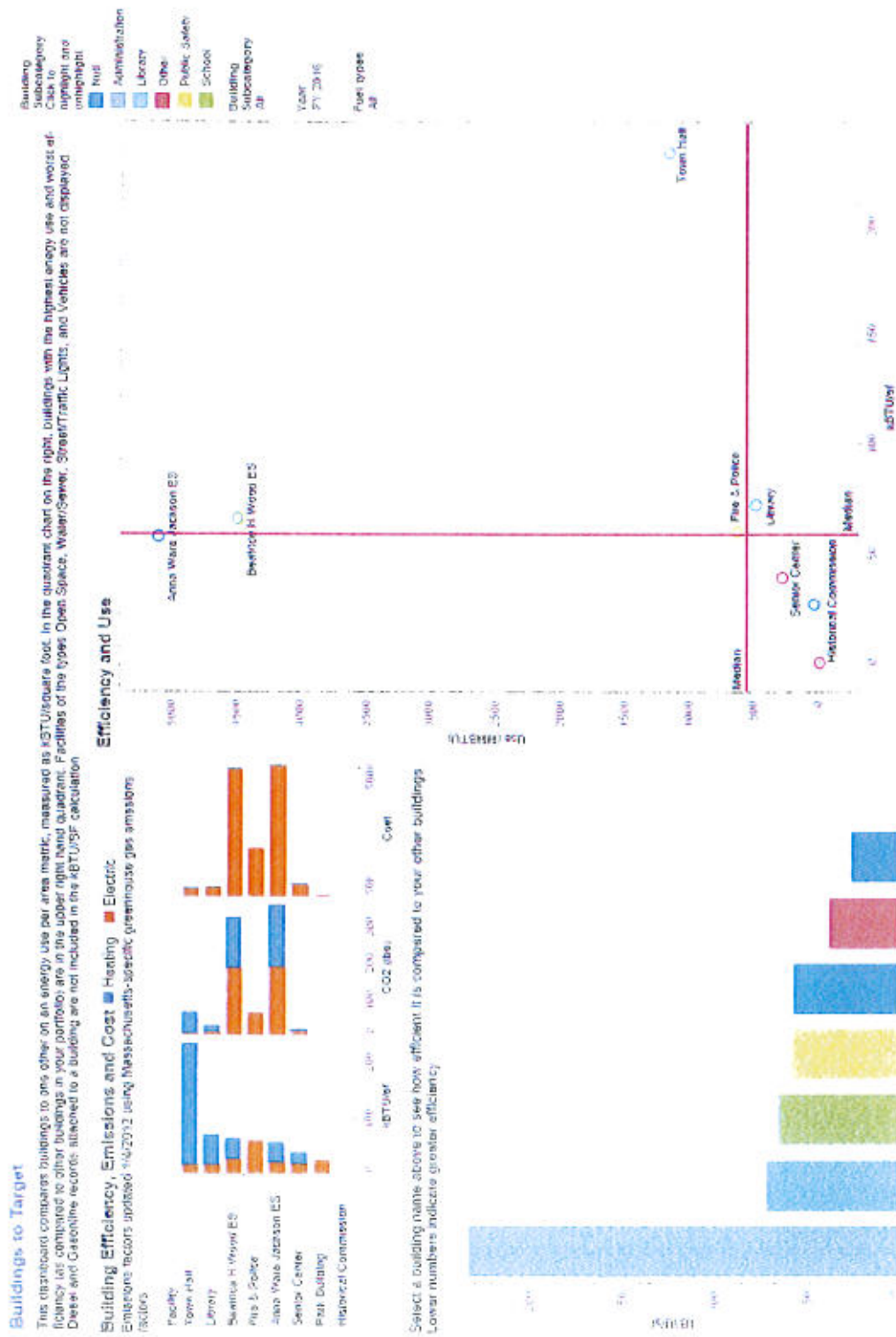
Interior Lighting: Improvements include replacement of recessed 2'x4' systems with advanced recessed volumetric adaptive systems featuring integrated sensors that enable each fixture to dim relative to the amount of daylight in the room and control each fixture based on occupancy. The wrap and strip fixtures would be retrofitted with LED kits, converting existing fluorescent strip and wrap fixtures to an LED format.

HVAC Upgrade: Town Hall has a heating system with radiation throughout the building. Parts of the first floor are also served by unit conditioners under windows. Multiple window A/C units have been installed for cooling of offices. The heating system is antiquated and past its useful life and a complete upgrade of the system is not feasible due to cost. However, installation of a variable refrigerant flow (VRF) system in the building will eliminate the need for natural gas, while providing a low cost option for individualized heating and cooling of each space.

- **Street Light Conversion**

Retrofit all streetlights with LED technology.

Figure 2: MEIs Buildings to Target Dashboard



B. Path to 20% Energy Use Reduction by the end of Fiscal Year 2021

1. Program Management Plan for Implementation, Monitoring, and Oversight

The Town Administrator's Office, in collaboration with the School Department, will be responsible both for oversight of the Energy Reduction Plan and for implementation of energy conservation measures within the Town. The Town Administrator's Office will be responsible for the annual reporting requirements to maintain designation and eligibility for annual competitive grant funding.

2. Summary of Energy Audit(s) or Other Sources for Projected Energy Savings

The attached spreadsheet details interventions that reduce overall energy consumption by 20% over the next five years as identified by Energy Conservation, Inc. through audits. Replacing the town's streetlights to more efficient LEDs, it is predicted that the Town can reduce its streetlight and outdoor school lighting electricity consumption by 726 MMBTUs. This will bring the baseline energy consumption down by a further 3.8%. Implementing the fleet management strategy outlined below will reduce the town's energy consumption another 2.2%. The identified projects in Table 4 below, as well as the adoption of behavior based energy efficiency programs in buildings throughout the town (as described below) the Plan exceeds the required 20% energy reduction threshold. The Energy Conservation, Inc. energy audit is included in Appendix A.

Strategy: Behavior Based Energy Efficiency Program

Institute behavior-based energy efficiency programs at schools and other areas of town operations. *Powering Down*, a study from The Center for Green Schools, looked at five public schools throughout the country and saw their electricity use decline 20% to 37% through the implementation of successful behavior-based strategies. Based on this data and using a conservative 25% energy decline when implementing these behaviors, it is expected there will be an additional 5% energy reduction in the Town from the FY2016 baseline. These strategies include items such as turning the lights off in classrooms and offices when they are empty (after work/school, lunch, recess); turning computers and printers off when not in use; turning off personal appliances when not in use; closing doors during work/class and when the room is empty; closing windows when heat or air conditioning is on; turning the lights off when the sun provides enough light; closing blinds to reduce heat from the sun on warm days and closing blinds to admit heat from the sun on cooler days; and placing no electronic equipment within five feet of the thermostat among others.

Strategy: Fleet Management

As municipalities across the Commonwealth track their energy use, government officials have been surprised to learn what a large part of total energy consumption goes toward fueling municipal vehicles; municipal fleets can sometimes account for over one-third of a community's total energy consumption. This information points to vehicles as important targets in the reduction of energy consumption and greenhouse gas emissions. Plainville's municipal vehicles account for 13.2% of the Town's energy consumption. Early projections indicate that Plainville can see energy savings beginning at approximately 2.3% of total municipal consumption by adopting the fleet management strategies below.¹

¹ The data presented in this table is informed by energy reductions in Green Communities: Framingham, Westford, and Gill as well as the government "Fuel Economy" website.

Municipal Fleet Energy Reduction Strategy	Details	Estimated Reduction in Consumption (% of Vehicle Consumption)
Closely monitor tire air pressure. When ready for replacement, choose fuel efficient tires.	Maintaining appropriate air pressure in vehicle tires can decrease that vehicles fuel consumption by as much as 4% ²	2% - 4%
Use 100% synthetic oil in all vehicles.	The use of 100% synthetic oils reduces fuel consumption, the number of annual oil changes and labor costs. ³	2%
Institute a town-wide "no idling policy" for municipal vehicles.	Idling vehicles contribute significantly to air pollution and waste fuel, increasing fleet management costs. Municipalities across the Commonwealth and the nation have seen significant cost and greenhouse gas emission reductions since implementing a town-wide "no idling" policies for municipal vehicles. ⁴	10%
Total Reduction in Vehicle Energy Consumption (%)	(Based on Predicted Fuel Consumption)	14% - 16%

Most municipalities find that the fuel used to power municipal vehicles can constitute between 20% and 40% of their overall energy consumption; therefore, increasing the efficiency of municipal vehicles can result in substantial cost and energy savings. The Town of Plainville should consider using FuelMaster to manage and monitor fuel usage for its municipal fleet. FuelMaster is a fuel economizer and pollution reduction device which utilizes magnetic hydrodynamic technology to improve the combustion of hydrocarbon fuels.⁵ Additional elements to add to such a vehicle program may include: a preventative maintenance schedule that tracks use, repairs and preventative maintenance and the close monitoring of tire air pressure.

The use of 100% synthetic oil can reduce fuel consumption up to 2% according to national studies.⁶ Synthetic oil also reduces the number of oil changes needed each year, leading to a corresponding reduction in associated oil expense and labor. Synthetic oil is safe to use as a substitute to conventional petroleum-based oils and does not result in ill-effects to engines, including older engines. A no-idle policy for municipal vehicles had been enacted in several Green Communities and in communities across the nation, and has led to significant reductions in both pollution and unnecessary fuel consumption.

² <http://www.fueleconomy.gov/feg/pdfs/OwnerRelatedFuelEconomy/Improvements.pdf>

³ <http://www.fueleconomy.gov/feg/pdfs/OwnerRelatedFuelEconomy/Improvements.pdf>

⁴ <http://aceee.org/sector/local-policy/case-studies/minneapolis-anti-idling-vehicle-ordin>

⁵ http://www.fuelmaster.com/How_it_Works.htm

⁶ <http://www.fueleconomy.gov/feg/pdfs/OwnerRelatedFuelEconomy/Improvements.pdf>

Table 5: Energy Conservation Measures for Plainville Municipal Energy Use

Measure	Category/Building	Energy Conservation Measure	Status (Completed Year or Planned Year)	Energy Data				Financial Data				Funding Source	Reference Source for Energy Savings
				Electricity Savings (kWh)	Natural Gas Savings (Therms)	Projected Annual Energy Savings	Propane Savings (gallons)	Estimated Total Project Cost (\$)	Green Communities Grant (\$)	Estimated Utility Incentives (\$)	Estimated Cost After Utility Incentives (\$)		
	Anna Ware Jackson School	Interior Lighting	August 2018	3,47,871				\$401,102		\$85,550	\$315,552		Energy Conservation, Inc.
	Anna Ware Jackson School	Boiler Replacement	October 2018		5,180			\$148,949		\$48,000	\$100,949		Energy Conservation, Inc.
	Anna Ware Jackson School	Pump/Motor/Drive	October 2018	11,613				\$34,075		\$5,700	\$28,375		Energy Conservation, Inc.
	Beatrice H. Wood School	Interior Lighting	June 2018	103,314				\$945,277		\$50,000	\$295,547		Energy Conservation, Inc.
	Beatrice H. Wood School	Boiler Replacement	October 2018		4,388			\$153,345		\$44,000	\$109,345		Energy Conservation, Inc.
	Public Safety-Fire/Police Department	Interior Lighting	June 2018	32,478				\$43,875		\$7,125	\$36,750		Energy Conservation, Inc.
	Public Safety-Fire/Police Department	Unit Heater Upgrades	October 2018		1,644			\$94,341		\$3,000	\$91,341		Energy Conservation, Inc.
	Highway Building	Interior Lighting	June 2019	13,923				\$23,805		\$5,310	\$18,495		Energy Conservation, Inc.
	Historical Commission	Interior Lighting	June 2019	58				\$5,383		\$630	\$4,753		Energy Conservation, Inc.
	Library	Interior Lighting	June 2018	6,776				\$20,246		\$1,300	\$18,946		Energy Conservation, Inc.
	Parks Building	Interior Lighting	June 2018	2,390				\$11,053		\$1,300	\$9,753		Energy Conservation, Inc.
	Senior Center	Interior Lighting	June 2018	7,556				\$38,798		\$4,045	\$34,753		Energy Conservation, Inc.
	Senior Center	BMS	June 2018	6,700	810			\$65,625		\$6,000	\$59,625		Energy Conservation, Inc.
	Senior Center	Boiler Replacement	June 2018		100			\$52,200		\$1,500	\$50,700		Energy Conservation, Inc.
	Town Hall	Interior Lighting	June 2019	5,783				\$23,758		\$4,485	\$19,273		Energy Conservation, Inc.
	Town Hall	VNF	October 2018		3,542			\$294,000		\$0	\$294,000		Energy Conservation, Inc.
	Town Wide Streetlight Replacement	Streetlight Replacement	June 2020	212,789									
	Vehicle Fleet Management Strategies	Monitoring Tire Air Pressure, Use of Synthetic Oil & No idling Policy	Proposed 2018-2020		4,432								Owner Related Fuel Economy Improvements
Totals				551,331	19,890			\$1,798,333		\$272,065	\$1,467,570		

C. Summary of Long-Term Energy Reduction Goals – Beyond 5 Years

1. Municipal Buildings (including schools)

To better strategize for the long-term maintenance and management of municipal buildings, Plainville will work with internal schools and town staff as well as outside consultants, when necessary, to assess and document the condition of major municipal buildings on an annual basis. In addition to exposing continuing opportunities for energy use reductions, this effort will provide the Town with a clear, long-term asset management strategy for the effective budgeting and maintenance of buildings.

2. Vehicles (including schools)

The Fuel-Efficient Vehicle policy will have become engrained within municipal purchasing practices after five years, and the Town will seek to explore even more efficient policies and tracking systems to enable more efficiency.

3. Street and Traffic Lighting

With the Town planning to have all streetlights retrofitted with LED bulbs within the 5-year period, the Town will next look to retrofit traffic lighting with LEDs as well as other lighting opportunities into the future.

4. Perpetuating Energy Efficiency

Ongoing dialogue with Town and School staff can tap into the knowledge of the employees who use and maintain the buildings every day. It can empower building staff to develop a detailed repair and management schedule and collect data on problems and inefficiencies that may be missed by traditional third party audits. The use of a web-based application system like See Click Fix creates additional real-time opportunities for efficiencies in operation and maintenance.

The Town of Plainville will grow its capacity to retrofit and build more efficient facilities, purchase more efficient vehicles, and illuminate the Town through more efficient lighting throughout the 5-year period. These practices will become more engrained in the culture of the Town and will provide opportunities to instill the ethos into additional policies and programs for more dedicated long-term funding streams and strategies.

Appendices:

- Energy Conservation, Inc. Audit
- USGBC *Powering Down* Report
- Owner Related Fuel Economy Improvements Study

**MEMORANDUM OF AGREEMENT BETWEEN
THE PLAINVILLE EDUCATION ASSOCIATION (PEA) AND
THE PLAINVILLE DISTRICT SUPERINTENDENT**

This MEMORANDUM OF AGREEMENT is entered into by and between the Plainville Education Association (hereinafter the "Association") and the Plainville District Superintendent (hereinafter the "Superintendent").

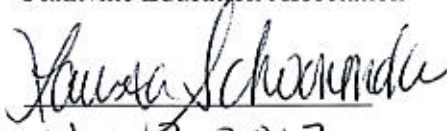
WHEREAS, the Association and the Superintendent acknowledge their shared desire to work together to solve problems and to learn from research data, and their shared desire to improve teaching practice and educational outcomes; and

WHEREAS, the Association and the Superintendent desire to reach an understanding between the parties about the use of student, staff, and/or parent/community surveys excluding those covered under Section 23 and 24 in Appendix B of the contract between the Association and the Plainville School Committee

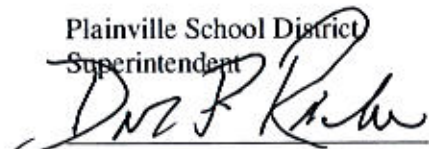
NOW, THEREFORE, it is agreed as follows:

1. The Parties agree that the terms of this agreement shall not be considered precedent-setting in any way.
2. The Parties agree that any student, staff or parent/community survey is voluntary and no teacher will be forced to participate.
3. The Parties agree that this Memorandum of Agreement will be referenced whenever student, staff, and/or parent/community surveys are introduced so as to be utilized for the reasons stated above.
4. The Superintendent agrees that the survey data will not be used for the purposes of evaluation or discipline in any way and that the data shall not be kept in the evaluation or discipline files of any individual teacher,
5. The Association agrees to refrain from any action to interfere with the use of surveys unless this agreement is violated in any way.

Plainville Education Association


Nov 13, 2017
Date

Plainville School District
Superintendent


11.7.2017
Date



PLAINVILLE PUBLIC SCHOOLS
68 MESSENGER STREET
PLAINVILLE, MASSACHUSETTS
02762

Caron B. Ketchum
School Business Administrator

Telephone: (508) 699-1323
Fax: (508) 699-1302
Email: cketchum@plainville.k12.ma.us

MEMORANDUM

To: Plainville School Committee

From: *CBK* Caron Ketchum
School Business Administrator

Date: November 2, 2017

Re: Gift to Plainville Public Schools (Vote Required)

In accordance with Massachusetts General Laws Chapter 44, Section 53A-Grants and Gifts; Acceptance and Expenditure, I have been notified by the Town Accountant that all gifts and donations must be formally accepted by the School Committee before funds are released from the Gift Account for school use.

Please be advised that I am in receipt of the following gift from Bay State Recycling Program.

Baystate Textiles, Inc.

The Plainville Public Schools is in receipt of \$69.00 for the Plainville district. This money is to be used to reimburse expenses for district technology purchases.

The district receives \$100/ton or 5¢ per pound for recycling textiles. Since the program's inception in October 2013, the district has recycled 35,350 pounds for a total of \$1,767.50.

Please take a vote of approval to accept this gift from Baystate Textiles, Inc.



PLAINVILLE PUBLIC SCHOOLS

68 MESSENGER STREET
PLAINVILLE, MASSACHUSETTS
02762

David P. Raiche
Superintendent of Schools

Telephone: (508) 699-1300
Fax: (508) 699-1302
Email: draiche@plainville.k12.ma.us

Date: November 1, 2017

To: School Committee
From: David P. Raiche
Superintendent of Schools
Re: Policies (Vote Required)

As part of her duties, the Chairperson of the Coordinated Program Review Team reviewed our policies to ensure compliance with new regulations related to protected categories of individuals. In addition to the specific recommendations she made, I reviewed MASC's version of the same policies. Based upon both sources I recommend the following policies be revised as presented:

Policy File GA/GCE/GCF, Recruitment, Screening and Selection of Staff
Policy File GBA, Equal Opportunity Employment
Policy File IHA, Basic Instructional Program
Policy File ILA, Testing Program
Policy File JJ-R, Extra-Curricular Activities, Non-Disturbance Policy at School Functions

The statement, "without regard to their race, color, religion, national origin, sex, gender identity, sexual orientation, age, genetic information, ancestry, military status, or disability" was added to these policies.

Thank you.

Attachment(s)

The Plainville Public Schools do not discriminate on the basis of age, sex, race, religion, national origin, color or handicap in accordance with applicable laws and regulations.

RECRUITMENT, SCREENING AND SELECTION OF STAFF

It is the responsibility of the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school system, and it is the responsibility of the Principal, in conjunction with the Superintendent, to determine the personnel needs of the individual schools. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

This policy is designed to assure the hiring and assignment of personnel in a manner that best supports the student achievement goals of the school district. Research indicates that having an effective teacher is critical to the success of every student. Therefore, school policies and procedures shall be developed and implemented to support each student having an effective teacher every year. Principals shall be responsible, consistent with district personnel policies and budgetary restrictions, for hiring all teachers, instructional aides, and other personnel assigned to the school and for terminating all such personnel, subject to review and prior approval by the Superintendent. The Superintendent shall be responsible for the assignment of personnel.

It is the policy of the Plainville School District to afford equal employment opportunity to all qualified persons regardless of race, color, religion, national origin, age, military status, sexual orientation, disability, or gender, except where age or sex is a bonafide occupational qualification as allowed by the Civil Rights Act of 1964.

Hiring

To ensure the selection and hiring of highly qualified, effective staff that best meet the needs of the students of Plainville and that contributes to a professional learning community the Plainville School District shall regard a highly qualified, effective applicant as one who fulfills and best meets all federal, state and district laws, rules, regulations and requirements for a particular position. The decision as to which applicant is selected for a particular position lies within the management discretion of the Administration, predicated upon the educational mission of the District and subject to the approval of the Superintendent. Such responsibilities may not be delegated, in any fashion, through the collective bargaining process and no collective bargaining agreement shall contain any language expressly or implied in derogation thereof.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current employee may apply for any position for which he or she has certification and meets other stated requirements. A current employee that applies for an open position will be given equal consideration, but current employment within the Plainville School District will not guarantee that the employee will be awarded a position over other candidates.

The Principal shall lead a screening and interview process in reviewing available candidates. While principals shall have authority to hire the best candidate for openings in their buildings, all hiring shall have a multi-level review process. The Superintendent shall review and approve all hiring decisions. It is the responsibility of the administration to recruit in a manner sufficient to receive applications from diverse, high quality candidates.

Assignment

The assignment of all personnel in the Plainville Public Schools shall be the responsibility of the Superintendent. The Superintendent shall make these assignments in the best interest of the school system.

Reference Check

All new hires are conditioned upon successful verification of reference checks and background checks. Reference verification shall be conducted by the Superintendent and/or Principal.

Posting

Openings in the schools or district will be posted in sufficient time before the position is filled for current employees to submit applications. All available methods of advertising will be considered.

Legal Ref: M.G.L. 7 §59B
Civil Rights Act of 1964

RECRUITMENT, SCREENING AND SELECTION OF STAFF

It is the responsibility of the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school system and it is the responsibility of the Principal, in consultation with the Superintendent, to determine the personnel needs of the individual schools. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the characteristics of the town and the need for a heterogeneous staff from various cultural backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school system. Any current employee may apply for any position for which he or she has certification and meets other stated requirements.

Openings in the schools will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

The District's specific personnel goals are:

1. To develop and implement those strategies and procedures for personnel recruitment, screening, and selection that will result in the employment and retention of individuals with the highest capabilities, strongest commitment to quality education, and greatest probability of effectively implementing the system's learning program.
2. To develop a general staff assignment strategy that will contribute to the learning program, and to use it as the primary basis for determining staff assignments.
3. To provide positive programs of staff development that contribute both to improvement of the learning program and to each staff member's career development aspirations.
4. To provide for a genuine team approach to education.
5. To develop and use for personnel evaluation positive processes that contribute to the improvement of both staff capabilities and the learning program.

Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will be based upon awareness to candidates who will devote themselves to the education and welfare of the children attending the schools.

It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the Committee for the type of position for which the nomination is made.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to race, color, religion, national origin, sex, gender identity, sexual orientation, age, genetic information, ancestry, military status, or disability.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions, for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal) is directed to establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee, a representative screening committee may be established by the School Committee, or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making his/her recommendation to the School Committee.

SOURCE: MASC September 2016

LEGAL REF. M.G.L. 76:5,
603 CMR 26.00
M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45
BESE Regulations 603 CMR 7:00, 26:00, and 44:00
Collective Bargaining Agreements

Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994

Revised:

EQUAL OPPORTUNITY EMPLOYMENT

The School Committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the District who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race, creed, color, age, sex, gender identity, national origin, disability or sexual orientation. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

LEGAL REFS.: BESE Regulations 603 CMR 26:00

CROSS REFS.: AC, Nondiscrimination

Revised: September 11, 2012

EQUAL OPPORTUNITY EMPLOYMENT

The School Committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the District who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race, color, religion, national origin, sex, gender identity, sexual orientation, age, genetic information, ancestry, military status, or disability. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

SOURCE: MASC September 2016

LEGAL REFS.: M.G;L; 151B:4; BESE Regulations 603 CMR 26:00

CROSS REFS.: AC, Nondiscrimination

Revised:

BASIC INSTRUCTIONAL PROGRAM

State law requires that schools:

... shall give instruction and training in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, music, the history, and Constitution of the United States, the duties of citizenship, health education, physical education and good behavior...

The law further states the American history and civics, including the Constitution of the United States, the Declaration of Independence, and the Bill of Rights, and local history and government will be taught as required subjects in the public schools.

Physical education is compulsory for all students, except that no student will be required to take part in physical education exercises if a physician certifies in writing that such exercises would be injurious to the student.

District Mission

The mission of the Plainville Schools is to promote lifelong learning throughout the community and to prepare students to become responsible, contributing members of a changing society by providing a challenging, rigorous educational program.

Adopted: Date of Manual Adoption

Amended: *September 5, 1990

LEGAL REFS.: M.G.L. 71:1; 71:2; 71:3; 71:13

Revised: June 28, 2011

BASIC INSTRUCTIONAL PROGRAM

It is the policy of the Plainville School District to provide its basic instructional program to all students without regard to their race, color, religion, national origin, sex, gender identity, sexual orientation, age, genetic information, ancestry, military status, or disability.

State law requires that schools:

... shall give instruction and training in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, music, the history, and Constitution of the United States, the duties of citizenship, health education, physical education and good behavior...

The law further states the American history and civics, including the Constitution of the United States, the Declaration of Independence, and the Bill of Rights, and local history and government will be taught as required subjects in the public schools.

Physical education is compulsory for all students, except that no student will be required to take part in physical education exercises if a physician certifies in writing that such exercises would be injurious to the student.

The Fundamental Skills

The business of the schools is to equip all children with the skills, tools, and attitudes that will lay the basis for learning now and in the future. This means giving highest priority to developing skills in reading, writing, speaking, listening, and solving numerical problems.

The first claim of the community's and School Committee's resources will be made for the realization of these priorities. School dollars, school talent, school time, and whatever innovation in program is required must be concentrated on these top-ranking goals. No student should be bypassed or left out of the school's efforts to teach the fundamental skills. Schooling for basic literacy must reach all students, in all neighborhoods, and from all homes.

District Mission

The mission of the Plainville Schools is to promote lifelong learning throughout the community and to prepare students to become responsible, contributing members of a changing society by providing a challenging, rigorous educational program.

SOURCE: MASC October 2016
CROSS REFS: ADF, School District Wellness Program
LEGAL REFS.: M.G.L. 71:1; 71:2; 71:3; 71:13

Revised:

TESTING PROGRAMS

The following testing program is carried out for all students attending the Plainville Public Schools in an effort to ensure that all students learn at high levels.

Measurements of educational achievement and growth shall be prepared so that data is consistent for comparison purposes within the school district from year to year and with other school districts to the extent required by rules of the State Board of Education. Not only is assessment used to track achievement and growth, it is also utilized to drive instruction, ensure consistency and continuity of instruction, and to review and improve upon current teaching practices.

A district program of testing for assessment/evaluation shall be coordinated throughout the school district by the appropriate administrator who shall be responsible for scheduling, disseminating, and collecting tests and for reporting and interpreting all group test results and relevant data.

Data shall be used in the following manner:

- To report individual student progress
- To report school and district progress
- To provide meaningful articulation between levels utilizing assessment information
- To review assessment progress and recommend appropriate changes

A preschool screening program is available to all 3 and 4 year old children each fall and spring. A specialist individually screens each child in the areas of basic concepts, speech/language, and fine and gross motor coordination. Formalized assessments in the identified areas may be requested by the parents at any time and may be recommended after the screenings by staff.

Children entering kindergarten are initially screened at registration in the spring in the areas of basic concepts, speech/language, and fine and gross motor coordination. Formalized assessments in the identified areas may be requested by the parents at any time and may be recommended after the screenings by staff.

State mandated assessments in basic skill areas are administered annually to pupils in grades 3-6. The Plainville Public Schools conforms to all state testing requirements.

All pupils grade K-6 are administered norm-referenced assessments throughout the school year. This type of assessment compares Plainville Public Schools students' academic ability with those of similar children from all over the country. The assessments are also used to track academic growth and progress.

LEGAL REF.: M.G.L. 71B: 7
Board of Education Regulations for Implementation of the Basic Skills Improvement Policy, adopted 1/23/79.

Revised: June 28, 2011

TESTING PROGRAMS

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LEGAL REF.: M.G.L. 71B: 7
Board of Education Regulations for Implementation of the Basic
Skills Improvement Policy, adopted 1/23/79.

Revised:

EXTRA CURRICULAR ACTIVITIES NON-DISTURBANCE POLICY AT SCHOOL FUNCTIONS

The following policy is issued by the Plainville School Committee pursuant to the authority vested in it by M.G.L. ch. 43, s. 33.

WHEREAS, the Plainville School Committee has the power and duty to control and manage the public schools for benefits of the citizens of the town of Plainville; and,

WHEREAS, pursuant to the authority vested in it by M.G.L. ch. 43, s. 33, the Plainville School Committee has control of all school buildings and grounds connected therewith and has the authority to make all rules and regulations for the management of the public schools; and,

WHEREAS, pursuant to the authority vested in it by M.G.L. ch. 71, s. 71, the Plainville School Committee, for the purpose of promoting the usefulness of public school property, may conduct such educational, recreational, social, civic, philanthropic and like purposes as it deems in the interest of the community; and,

WHEREAS, the School Committee wishes to prohibit individuals from behaving in such a manner so as to disrupt or otherwise interfere with the ability of other individuals from enjoying the use of school property for the purposes set forth above;

NOW, THEREFORE, the Plainville School Committee does hereby establish the following so-called "Non-disturbance policy."

1. Where the Plainville School Department holds extracurricular activities on school property or off, whether inside a school building or outside, including but not limited to, dances, field trips, plays, athletic events, and/or any other school-related activities on, about, or off school property, (including the rental or lease of school facilities) individuals, whether parents or others, shall be entitled to attend such events as long as they do not disturb the event and/or prevent other attendees from enjoying the event.
2. In the event that the Principal (or the Superintendent if the Principal is not present) or the Principal's designee determines that an individual is disrupting an event or otherwise preventing other attendees from enjoying the activity, the Principal shall advise the individual to refrain from the behavior that is disrupting the event, or if the conduct is determined to be egregious, the Principal or the Principals designee may ask the individual to leave the event immediately.
3. In the event that the individual in question violates abide by the Principal's directive, the Principal shall direct the individual to leave the event. In the event that the individual refuses to leave school function, the Principal (or the Superintendent if the Principal is not present) shall contact the proper authorities to remove the individual from the premises.

4. In the event that the individual in question violates the non-disturbance policy at the same or at a second extracurricular event as described above, the Principal shall direct the individual to leave the event and shall follow up with a written letter to the individual informing the person that s/he is prohibited from attending any future extracurricular activities and is forbidden from entering the school premises until such time as the Principal determines the individual has moderated her/her conduct such that s/he will not be disruptive to the activity or any attendees.
5. In the event that an individual is prohibited in writing from attending extracurricular activities, such a ban shall not apply to parent-teacher conferences, PTO meetings, any meetings subject to the open meeting law, or any other activities which are directly related to the well-being of the individual's child if the child is a student in the Plainville Public Schools. In the event that it is necessary for a banned individual to be present in a school building for the child's well-being, the individual shall provide the building Principal with written notice of his/her intent to be in the school building prior to attending the meeting.

**EXTRA CURRICULAR ACTIVITIES
NON-DISTURBANCE POLICY AT SCHOOL FUNCTIONS**

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PLAINVILLE PUBLIC SCHOOLS			ENROLLMENT 2017 2018					
	Boys	Girls	Total	Class Average				
Kavanah (AM)	6	7	13					
Barboza (AM/PM)	12	11	23					
Skazinski (AM/PM)	11	11	22					
TOTAL INT PRE -K	29	29	58		1			
J. Kubinski	9	10	19					
L. Leger	10	9	19					
A. Naggar	9	8	17					
L. Siddall	10	9	19					
C. Teague	9	10	19					
TOTAL-K	47	46	93	18.6	1			
1 Foley	11	8	19					
1 Miller	11	7	18					
1 Moore	11	7	18					
1 Ryan	8	9	17					
1 Travers	11	7	18					
TOTAL-1	52	38	90	18.0	0			
2 Baker	7	9	16					
2 Dunn	11	6	17					
2 Eighmy	9	7	16					
2 Mazzeo	9	8	17					
2 Vine	9	8	17					
TOTAL-2	45	38	83	16.6	0			
3 Campbell	10	11	21					
3 Fregeau	9	12	21					
3 McMorrow	14	5	19					
3 Surgenor	12	8	20					
TOTAL-3	45	36	81	20.3	0			
4 Almeida	11	11	22					
4 Maher	10	10	20					
4 Peter	10	10	20					
4 Schoonmaker	9	12	21					
4 Sweeney	10	9	19					
TOTAL-4	50	52	102	20.4	1			
5 Dempsey	11	7	18					
5 Flynn	10	8	18					
5 Hoyle	11	11	22					
5 Jagannath	8	10	18					
5 Stoffel	10	9	19					
TOTAL-5	50	45	95	19.0	1			
6 Driscoll	9	12	21					
6 Espenhain	11	10	21					
6 Molloy	10	13	23					
6 Nunez	12	10	22					
6 Robinson	9	12	21					
TOTAL-6	51	57	108	21.6	0			
AWJ INT PRE-K	29	29	58					
TOTAL JACKSON (K-3)	189	158	347					
TOTAL WOOD (4-6)	151	154	305					
TOTAL K-GRADE 6	340	312	652	19.2				
TOTAL SYSTEM	369	341	710		4			

Anna Ware Jackson School Council

October 4, 2017

Present: Kate Campbell, Anne Marie Morris, Jenn Skazinski, Kristen Garrity, and Kim Janssen

Absent: Selena Graham, Trish Gallerani

Meeting was called to order at 4:25 pm by Anne Marie Morris, seconded by Kate Campbell
April Minutes Reviewed, as well as the May Minutes: Plainville Pride, School Improvement Plan and Reading bags

Topics Discussed

Continued Goals:

- School Improvement Plan is now in the hands of the teachers. It will allow for more teacher voice.
- Plainville Pride Night is what we will focus upon.
- We will continue our Welcome Baby Program
- Math Senior Center Bingo was very successful, and this will continue.
- Lunch and Learn Plan every month
- Heavenly Hats Donations

Details:

- Career Day on October 20th.
- Parent Night will have a menu of 4 rotating options. Parents can come for as few as one session or as many as 4.
- Showcase Spectacular: Hugely successful last year. For this year, it will be shorter. The MC'ing with be shorter, and the total limit for an act is 2 minutes. A few acts last year went as long as 12 minutes.
- MARCH 28, 2018- Date this year. AUDITIONS: January 9th and 10th (more systematic this year). Looking for ways to streamline the technology.
- Plainville Pride: STREAM Event
 - There were many stations including Legos, Art Display, Jackson Bingo, Pencil Decorating, Book Swap, Raffle Baskets, PVC Pipe Play
 - Get the teachers on board in January
 - Date for this Year: April 12th, for one hour

- Literacy Bag Updates: Tracy Cataldo is the coordinator. Fifteen people volunteered. They will work this year to tighten the time each child takes to choose a book. They will be giving teachers a window of time. In addition, we added new books, and we will ask students for their suggestions. Kim Janssen will barcode the bags, so we can help kids find high interest books more quickly.
 - Anne Ware Jackson page needs to be shared. Mrs. Durand runs it.
- Motion to adjourn made by Anne Marie Morris. Seconded by Jenn Skazinski at 5:05 PM.

Kristen Garrity

Secretary

Revised 11/6/17

Revised
[Signature]
11.6.2017

Minutes School Council 10/4/17

- **Members:** Robin Roberts-Pratt, Kathy Parker, Emily Hatami, Kelly Harlow, Jason Barber
- Meeting starts at 4:32

Review of May Minutes:

- Emily made a motion to accept minutes, seconded by Kelly as written.

Topics Discussed:

- **Updates at Wood School Staff:** shifts in staff- Caitlin Nunez moved to 6th grade, Jess Vine moved to 2nd grade, Nadia Sweeney came to 4th grade, Laura Schoonmaker moved to 4th grade, Izzy McMorrow took over a 3rd grade teaching position, our 6th grade special education teacher Mary Kiley moved to 3rd grade special education teacher, new hire in sixth grade special education starting October 12, Ian Hall new digital learning specialist
- **District Digital Learning Specialist Ian Hall role-** expert in digital learning, role to help those improve with technology, provide ideas how to incorporate technology in the classroom, support teachers with technology
- **School Improvement Plan**
 - The School Council reviewed the school improvement plan on scheduling data meetings and the process of how it will be incorporated this school year.
 - New process entered in this school year: Tuesday mornings teachers come in early and one Tuesday morning meeting is a data meeting until 7:55-9:30. Once a month specialist/physiologist, technology specialist cover the class from 8:40-9:30 (enrichment type piece) while teachers finish up data meeting.
- **In Service meeting Tuesday 10/10**
 - Different opportunities for teachers: social emotional learning, classdojo, math
 - Universal screener to gauge our student body internal/external emotions, factors ext.
- **Proposal for a Commissioned Band Piece**
 - Kathy motions to accept the proposal of \$600 for Erik to come, seconded by Emily, all agree.
- **Music in the parks**
 - Canobie Lake Park, sing at the park, get feedback from judges
- **Student Handbook**
 - Be looking, thinking about making changes to outdated choices
 - December 6th we will discuss the handbook in more detail
- **November Adjustments**
 - School improvement plan will be sent out and discussed more next time we meet.

Motion to adjourn the meeting by Kelly, seconded by Kathy

Meeting adjourned 5:47 p.m.

*Admitted
DP Parker
11.20.2017*

PLAINVILLE PUBLIC SCHOOLS

Process for Purchasing and Replacement—School Department Vehicles

The Plainville Public Schools is committed to purchasing only fuel-efficient vehicles for school department use whenever such vehicles are commercially available and practical. Whenever the need to purchase or replace a vehicle occurs, said action is incorporated into the district's four (4)-year Buildings and Grounds Plan. This plan includes goals for when the existing truck will be replaced and is reviewed and updated on an annual basis:

The definitions and exemptions used in adhering to this process are:

Combined city and highway MPG (EPA combined fuel economy): Combined fuel economy means the fuel economy from driving a combination of 43% city and 57% highway miles and is calculated as follows:
$$= 1 / ((0.43 / \text{City MPG}) + (0.57 / \text{highway MPG}))$$

Drive System: The manner in which mechanical power is directly transmitted from the drive shaft to the wheels. The following codes are used in the drive field:

AWD = All Wheel Drive: four-wheel drive automatically controlled by the vehicle powertrain system

4WD = 4-Wheel Drive: driver selectable four-wheel drive with 2-wheel drive option

2WD = 2-Wheel Drive

Heavy-duty vehicle: A vehicle with a manufacturer's gross vehicle weight rating (BVWR) of more than 8,500 pounds.

Exemptions:

- Heavy-duty vehicles are exempt. Examples include fire-trucks, ambulances and some public works trucks that meet the definition of heavy-duty vehicle.
- Police cruisers, passenger vans and cargo vans are exempt from this criterion as fuel-efficient models are not currently available. However, we commit to purchasing fuel-efficient police cruisers, passenger vans and cargo vans when they become commercially available. Police and fire department administrative vehicles are NOT exempt and must meet fuel efficient requirements.

Before purchasing or replacing a school-department vehicle the school district shall make sure that the new vehicle meets the fuel-efficiency ratings contained in the most recent guidance for Criteria 4 published by the MA Department of Energy Resources' Green Communities Division.

In addition to following the process outlined above the school district has also directed the Superintendent to ensure that no school district employee be allowed to leave their motor vehicle in operating mode on school grounds in excess of five (5) minutes, unless such operation is necessary.



PLAINVILLE PUBLIC SCHOOLS

68 MESSENGER STREET
PLAINVILLE, MASSACHUSETTS
02762

David P. Raiche
Superintendent of Schools

Telephone: (508) 699-1300
Fax: (508) 699-1302
Email: draiche@plainville.k12.ma.us

Date: October 30, 2017

To: School Committee

From: David P. Raiche, Superintendent

Re: Revisions to Open Meeting Law Regulations

As you may know, the Attorney General made revisions to the Open Meeting Law Regulations which became effective on October 6, 2017. For your information I have attached a copy of these regulations, with all changes noted in red ink. I have also included MASCs Legal Alert Bulletin which summarizes the changes. If you have any questions, please let me know and I will follow-up.

Enclosures

940 CMR: OFFICE OF THE ATTORNEY GENERAL

940 CMR 29.00: OPEN MEETINGS

Section

29.01: Purpose, Scope and Other General Provisions

29.02: Definitions

29.03: Notice Posting Requirements

29.04: Certification

29.05: Complaints

29.06: Investigation

29.07: Resolution

29.08: Advisory Opinions

29.09: Other Enforcement Actions

29.10: Remote Participation

29.11: Meeting Minutes

29.01: Purpose, Scope and Other General Provisions

~~(1) Authority. The Attorney General promulgates 940 CMR 29.00, relating to the Open Meeting Law, pursuant to M.G.L. c. 30A, § 25(a) and (b).~~

~~(2)~~ (1) Purpose. The purpose of 940 CMR 29.00 is to interpret, enforce and effectuate the purposes of the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25.

~~(3)~~ (2) Severability. If any provision of 940 CMR 29.00 or the application of such provision to any person, public body, or circumstances shall be held invalid, the validity of the remainder of 940 CMR 29.00 and the applicability of such provision to other persons, public bodies, or circumstances shall not be affected thereby.

~~(4)~~ (3) Mailing. All complaints, notices (except meeting notices), and other materials that must be sent to another party shall be sent by one of the following means: first class mail, email, hand delivery, or by any other means at least as expeditious as first class mail.

29.02: Definitions

As used in 940 CMR 29.00, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

~~Commission means the Open Meeting Law Advisory Commission, as defined by M.G.L. c. 30A, § 19(e).~~

~~County Public Body means a public body created by county government with jurisdiction that comprises a single county.~~

District Public Body means a public body with jurisdiction that extends to two or more municipalities.

Emergency means a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.

Intentional Violation means an act or omission by a public body or a member thereof, in knowing violation of M.G.L. c. 30A, §§ 18 through 25. Evidence of an intentional violation of M.G.L. c. 30A, §§ 18 through 25 shall include, but not be limited to, that the public body or public body member: (a) acted with specific intent to violate the law; (b) acted with deliberate ignorance of the law's requirements; or (c) was previously informed by receipt of a decision from a court of competent jurisdiction or advised by the Attorney General, pursuant to 940 CMR 29.07 or 940 CMR 29.08, that the conduct violates M.G.L. c. 30A, §§ 18 through 25. Where a public body or public body member has made a good faith attempt at compliance with the law, but was reasonably mistaken about its requirements ~~or, after full disclosure, acted in good faith compliance with the advice of the public body's legal counsel~~, such conduct will not be considered an intentional violation of M.G.L. c. 30A, §§ 18 through 25.

Person means all individuals and entities, including governmental officials and employees. Person does not include public bodies.

Post Notice means to place a written announcement of a meeting on a bulletin board, electronic display, website, ~~cable television channel, newspaper~~ or in a loose-leaf binder in a manner conspicuously visible to the public, including persons with disabilities, at all hours, in accordance with 940 CMR 29.03.

Public Body has the identical meaning as set forth in M.G.L. c. 30A, § 18, that is, a multiple-~~member~~ board, commission, committee or subcommittee within the executive or legislative branch or within any county, district, city, region or town, however created, elected, appointed or otherwise constituted, established to serve a public purpose; provided, however, that the governing board of a local housing, redevelopment or ~~other~~ similar authority shall be deemed a local public body; provided, further, that the governing board or body of any other authority established by the general court to serve a public purpose in the commonwealth or any part thereof shall be deemed a state public body; provided, further, that "public body" shall not include the general court or the committees or recess commissions thereof, bodies of the judicial branch or bodies appointed by a constitutional officer solely for the purpose of advising a constitutional officer and shall not include the board of bank incorporation or the policyholders protective board; and provided, further, that a subcommittee shall include any multiple-member body created to advise or make recommendations to a public body.

Qualification for Office means the election or appointment of a person to a public body and the taking of the oath of office, where required, and shall include qualification for a second or any subsequent term of office. Where no term of office for a member of a public body is specified, the member shall be deemed to be qualified for office on a ~~biannual basis on January 1st of a calendar year beginning on January 1, 2011. Where a member's term of office began prior to July 1, 2010, and will not expire until after July 1, 2011, the member shall be deemed to have qualified for office on January 1, 2011.~~ biennial basis following appointment or election to office.

Regional Public Body means a public body with jurisdiction that extends to two or more municipalities.

Remote Participation means participation by a member of a public body during a meeting of that public body where the member is not physically present at the meeting location.

29.03: Notice Posting Requirements

(1) Requirements Applicable to All Public Bodies.

(a) Except in an emergency, public bodies shall file meeting notices sufficiently in advance of a public meeting to permit posting of the notice at least 48 hours in advance of the public meeting, excluding Saturdays, Sundays and legal holidays, in accordance with M.G.L. c. 30A, § 20. In an emergency, the notice shall be posted as soon as reasonably possible prior to such meeting.

(b) Meeting notices shall be printed or displayed in a legible, easily understandable format and shall contain the date, time and place of such meeting, and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. The list of topics shall have sufficient specificity to reasonably advise the public of the issues to be discussed at the meeting. ~~The date and time that the notice is posted shall be conspicuously recorded thereon or therewith.~~

(c) Notices posted under an alternative posting method authorized by 940 CMR 29.03(2) through (5) shall include the same content as required by 940 CMR 29.03(1)(b). If such an alternative posting method is adopted, the municipal clerk, in the case of a municipality, or the body, in all other cases, shall file with the Attorney General written notice of adoption of the alternative method, including the website address where applicable, and any change thereto, and the most current notice posting method on file with the Attorney General shall be consistently used.

(d) The date and time that a meeting notice is posted shall be conspicuously recorded thereon or therewith. If an amendment occurs within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, then the date and time that the meeting notice is amended shall also be conspicuously recorded thereon or therewith.

(2) Requirements Specific to Local Public Bodies.

(a) The ~~official method of posting notice shall be by filing with the~~ municipal clerk, or other person designated by agreement with the municipal clerk, ~~who~~ shall post notice of the meeting in a manner conspicuously visible to the public at all hours in ~~or, on, or near~~ the municipal building in which the clerk's office is located. ~~Such notice shall be accessible to the public in~~

~~(b) Alternatively, the municipality may adopt the municipal clerk's office. If such notice is not conspicuously visible to the public during hours when the clerk's office is closed,~~

~~such notice shall also be made available through an alternative method prescribed or approved by the Attorney General under 940 CMR 29.03(2)(b)4. A description of such alternative website as the official method, sufficient to allow members of the public to obtain of notice through such posting.~~

- ~~1. The Chief Executive Officer of the municipality, as defined in M.G.L. c. 4, § 7, must authorize or, by a simple majority, vote to adopt the municipal website as the official method of posting notice. Any municipality that has adopted its website as the official method of posting notice by another method as of October 6, 2017 will have satisfied the adoption requirement.~~
- ~~2. If adopted, a description of the website as the notice posting method, including directions on how to locate notices on the website, shall be posted in a manner conspicuously visible to the public at all hours on or adjacent to the main and handicapped accessible entrances to the municipal building in which the clerk's office is located.~~
- ~~3. (b) For local-Once adopted as the official method of notice posting, the website shall host the official legal notice for meetings of all public bodies; within the Attorney General has determined, pursuant municipality.~~
- ~~4. Notices must continue to be filed with the municipal clerk, or any other person designated by agreement with the municipal clerk.~~

~~(c) A municipality may have only one official notice posting method for the purpose of M.G.L. c. 30A, § 20(e), that the following alternative §§ 18 through 25, either 940 CMR 29.03(2)(a) or (b). However, nothing precludes a municipality from choosing to post additional notices via other methods, including a newspaper. Such additional notice will provide more effective notice not be the official notice for the purposes of M.G.L. c. 30A, §§ 18 through 25.~~

~~(d) Copies of notices shall also be accessible to the public: in the municipal clerk's office during the clerk's business hours.~~

- ~~1. public bodies may post notice of meetings on the municipal website;~~
- ~~2. public bodies may post notice of meetings on cable television, AND, post notice or provide cable television access in an alternate municipal building (e.g., police or fire station) where the notice is accessible at all hours;~~
- ~~3. public bodies may post notice of meetings in a newspaper of general circulation in the municipality, AND, post notice or a copy of the newspaper containing the meeting notice at an alternate municipal building (e.g., police or fire station) where the notice is accessible at all hours;~~

~~4. public bodies may place a computer monitor or electronic or physical bulletin board displaying meeting notices on or in a door, window, or near the entrance of the municipal building in which the clerk's office is located in such a manner as to be visible to the public from outside the building; or~~

~~5. public bodies may provide an audio recording of meeting notices, available to the public by telephone at all hours.~~

(3) Requirements Specific to Regional or District Public Bodies.

(a) Notice shall be filed and posted in each city and town within the region or district in the manner prescribed for local public bodies in that city or town.

(b) As an alternative method of notice, a regional or district public body may ~~post a meeting notice on, by majority vote, adopt~~ the regional or district public body's website: as its official notice posting method. A copy of ~~the each meeting~~ notice shall be ~~filed and~~ kept by the chair of the public body or the chair's designee: in accordance with the applicable records retention schedules. The public body shall file and post notice of the website address, as well as directions on how to locate notices on the website, in each city and town within the region or district in the manner prescribed for local public bodies in that city or town.

(4) Requirements Specific to Regional School Districts.

(a) The secretary of the regional school district committee shall be considered to be its clerk. The clerk of the regional school district ~~committee~~ shall file notice with the municipal clerk of each city and town within such district and each such municipal clerk shall post the notice in the manner prescribed for local public bodies in that city or town.

(b) As an alternative method of notice, a regional school district committee may ~~post a meeting notice on, by majority vote, adopt~~ the regional school district's website: as its official notice posting method. A copy of ~~the each meeting~~ notice shall be ~~filed and~~ kept by the secretary of the regional school district committee or the secretary's designee in accordance with the applicable records retention schedules. The regional school district committee shall file and post notice of the website address, as well as directions on how to locate notices on the website, in each city and town within the region or district in the manner prescribed for local public bodies in that city or town.

(5) Requirements Specific to County Public Bodies.

(a) Notice shall be filed and posted in the office of the county commissioners and a copy of the notice shall be publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for this purpose.

(b) As an alternative method of notice, a county public body may ~~post a meeting on~~, by majority vote, adopt the county public body's website ~~as its official notice posting method~~. A copy of the notice shall be ~~filed and~~ kept by the chair of the county public body or the chair's designee in accordance with the applicable records retention schedules. The county public body shall file and post notice of the website address, as well as directions on how to locate notices on the website, in the office of the county commissioners and a copy of the notice shall be publicly posted in a manner conspicuously visible to the public at all hours in such place or places as the county commissioners shall designate for this purpose.

(6) Requirements Specific to State Public Bodies. Notice shall be posted on a website ~~in accordance with procedures established by the Attorney General in consultation with the Information Technology Division of the Executive Office for Administration and Finance for the purpose of providing the public with effective notice~~. A copy of each notice shall also be sent by first class or electronic mail to the Secretary of ~~State's~~ the Commonwealth's Regulations Division. The chair of each state public body shall notify the Attorney General in writing of its ~~Internet notice posting location~~ webpage for listing meeting notices and any change ~~thereto to the webpage location~~. The public body shall consistently use the most current ~~notice posting method~~ website location on file with the Attorney General. A copy of the notice shall be kept by the chair of the state public body or the chair's designee in accordance with the applicable records retention schedules.

(7) Websites. Where a public body adopts a website as its method of noticing meetings, it must make every effort to ensure that the website is accessible to the public at all hours. If a website becomes inaccessible to members of the public within 48 hours of a meeting, not including Saturdays, Sundays, and legal holidays, the municipal clerk or other individual responsible for posting notice to the website must restore the website to accessibility within six hours of the time, during regular business hours, when such individual discovers that the website has become inaccessible. In the event that the website is not restored to accessibility within six business hours of the website's deficiency being discovered, the public body must re-post notice of its meeting for another date and time in accordance with M.G.L. c. 30A, § 20(b).

29.04: Certification

(1) For local public bodies, ~~a document including~~ the municipal clerk, and for all other public bodies, the appointing authority, executive director, or other appropriate administrator or their designees, shall, upon a public body member's qualification for office, either deliver to the public body member, or require the public body member to obtain from the Attorney General's website, the following educational materials:

(a) The Attorney General's Open Meeting Law Guide, which will include an explanation of the requirements of the Open Meeting Law; the Open Meeting Law, M.G.L. c. 30A, §§ 18 through 25; a document including and the Attorney General's regulations, 940 CMR 29.00-29.11.

~~(b) ; and educational materials prepared~~ A copy of each Open Meeting Law determination issued to that public body by the Attorney General explaining within the last five years in which the Attorney General found a violation of M.G.L. c. 30A, §§ 18 through 25, and its application, shall. Open Meeting Law determinations are available at the Attorney General's website.

~~(2) Educational materials may be delivered to public body members by the municipal clerk to each member of a public body, whether elected or appointed, upon taking the oath of office, if required, and in every case before entering into performance of the office.~~ paper copy or in digital form.

~~(3) Within two weeks after receipt of such the educational materials, the public body member shall certify, on the form prescribed by the Attorney General, receipt of such the educational materials. The municipal clerk shall maintain the signed certification for each such person, indicating the date the person received the materials.~~

~~(2) For regional, district, county or state public bodies, a document including M.G.L. c. 30A, §§ 18 through 25; a document including 940 CMR 29.00; and educational materials prepared by the Attorney General explaining M.G.L. c. 30A, §§ 18 through 25, and its application, shall be delivered by the appointing authority, executive director or other appropriate administrator or their designees, to each member of a public body, whether elected or appointed, upon taking the oath of office, if required, and in every case before entering into the performance of the office. Within two weeks after receipt of such materials, the member shall certify, on the form prescribed by the Attorney General, receipt of such materials. The, appointing authority, executive director or other appropriate administrator, or their designees, shall maintain the signed certification for each such person, indicating the date the person received the materials.~~

~~(4) An individual serving on multiple public bodies must sign a certification for each public body on which he or she serves. A public body member does not need to sign a separate certification when joining a subcommittee of the public body.~~

~~(5) A public body member must sign a new certification upon reelection or reappointment to the public body.~~

29.05: Complaints

~~(1) All complaints shall be in writing, using the form approved by the Attorney General and available on the Attorney General's website. A public body need not, and the Attorney General will not, investigate or address anonymous complaints. A public body need not address a complaint that is not signed by the complainant. A public body need not address a complaint that is not filed using the Attorney General's complaint form.~~

~~(2) Public bodies, or the municipal clerk in the case of a local public body, should provide any person, on request, with an Open Meeting Law Complaint Form. If a paper copy is unavailable, then the public body should direct the requesting party to the Attorney General's website, where an electronic copy of the form will be available for downloading and printing.~~

(3) For local public bodies, the complainant shall file the complaint with the chair of the public body, who shall disseminate copies of the complaint to the members of the public body. The complainant shall also file a copy of the complaint with the municipal clerk, who shall keep such filings in an orderly fashion for public review on request during regular business hours. For all other public bodies, the complainant shall file the complaint with the chair of the relevant public body, or if there is no chair, then with the public body.

(4) The complaint shall be filed within 30 days of the alleged violation of M.G.L. c. 30A, §§ 18 through 25, or if the alleged violation of M.G.L. c. 30A, §§ 18 through 25, could not reasonably have been known at the time it occurred, then within 30 days of the date it should reasonably have been discovered.

~~(4) The public body shall review timely complaints to ascertain the time, date, place and circumstances which constitute the alleged violation. If the public body needs additional information to resolve the complaint, then the chair may request it from the complainant within seven business days of receiving the complaint. The complainant shall respond within ten business days after he or she receives the request. The public body will then have an additional ten business days after receiving the complainant's response to review the complaint and take any remedial action pursuant to 940 CMR 29.05(5).~~

(5) Within 14 business days after receiving the complaint, unless an extension has been granted by the Attorney General as provided in 940 CMR 29.05(5)(a) and (b), the public body shall meet to review the complaint's allegations; take remedial action, if appropriate; and send to the Attorney General a copy of the complaint complainant a response and a description of any remedial action taken. The public body shall simultaneously notify the complainant Attorney General that it has sent such materials to the Attorney General complainant and shall provide the complainant Attorney General with a copy of the complaint, the response, and a description of any remedial action taken.

(a) Any remedial action taken by the public body in response to a complaint under 940 CMR 29.05(5) shall not be admissible as evidence that a violation occurred in any later administrative or judicial proceeding against the public body relating to the alleged violation.

(b) If the public body requires additional time to resolve the complaint, it may obtain an extension from the Attorney General by submitting a written request within 14 business days after receiving the complaint. A request may be submitted by the chair, the public body's attorney, or any person designated by the public body or the chair. The Attorney General will grant an extension if the request demonstrates good cause. Good cause will generally be found if, for example, the public body cannot meet within the 14 business day period to consider proposed remedial action. The Attorney General shall notify the complainant of any extension and the reason for it.

~~(6) If the public body needs additional information to resolve the complaint, then the chair may request it from the complainant within seven business days of receiving the complaint. The~~

complainant shall respond within ten business days after receiving the request. The public body will then have an additional ten business days after receiving the complainant's response to review the complaint and take any remedial action pursuant to 940 CMR 29.05(5).

(7) If at least 30 days have passed after the complaint was filed with the public body, and if the complainant is unsatisfied with the public body's resolution of the complaint, the complainant may file a complaint with the Attorney General. When filing a complaint with the Attorney General, the complainant shall include a copy of the original complaint along with any other materials the complainant believes are relevant. The Attorney General ~~may~~shall decline to investigate complaints filed with the Attorney General more than 90 days after the alleged violation of M.G.L. c. 30A, §§ 18 through 25, ~~unless~~if the alleged violation of M.G.L. c. 30A, §§ 18 through 25, could not reasonably have been known at the time it occurred, then within 90 days of the date it should reasonably have been discovered. However, this time may be extended if the Attorney General grants an extension ~~was granted~~to the public body ~~orto respond to a complaint or if~~ the complainant demonstrates good cause for the delay ~~in filing with the Attorney General.~~

(78) The Attorney General shall acknowledge receipt of all complaints and will resolve them within a reasonable period of time, generally 90 days. ~~If additional time is necessary to resolve a particular complaint, the Attorney General will notify the complainant and the public body.~~

(8)(9) Mediation to Resolve a Complaint.

(a) If a complainant files five complaints alleging violations of M.G.L. c. 30A, §§ 18 through 25, with the same public body or within the same municipality within 12 months, upon the fifth or subsequent complaint appears untimely, to that public body or a public body within that municipality within the 12-month period, the public body may request mediation with the complainant, at the public body's expense, to resolve the complaint. A mediator is not in the proper form, or is missing information, defined by M.G.L. c. 233, § 23C, and will be selected by the Attorney General ~~shall return the complaint to the complainant within 14,~~

(b) A public body must request mediation prior to, or with, its response to the complaint. If the mediation does not produce an agreement, the public body will have ten business days of its receipt, noting its deficiencies. The complainant shall then have 14 business days to correct the deficiencies and resubmit the complaint to ~~from the last joint meeting with the mediator to respond to the complaint.~~

(c) A public body may participate in mediation in open session, in executive session through M.G.L. c. 30A, § 21(a)(9), or by designating a representative to participate on behalf of the public body.

(d) If the complainant declines to participate in mediation after a public body's request in accordance with 940 CMR 29.05(9)(a), the Attorney General. ~~If the deficiencies are not corrected, no further action on may decline to review~~ the complaint ~~will be taken by if it is thereafter filed with~~ the Attorney General.

(e) If the mediation does not resolve the complaint to the satisfaction of both parties, then the complainant may file a copy of his or her complaint with the Attorney General and request the Attorney General's review. The complaint must be filed with the Attorney General within 30 days of the last joint meeting with the mediator.

(f) Any written agreement reached in mediation shall become a public record in its entirety and must be publicly disclosed at the next meeting of the public body following execution of the agreement.

(g) Nothing in this section shall prevent a complainant from filing subsequent complaints, however public bodies may continue to request mediation in an effort to resolve complaints in accordance with 940 CMR 29.05(9)(a).

(h) Nothing in this section shall prevent a public body or complainant from seeking mediation to resolve any complaint. However, only mediation requests that follow the requirements of 940 CMR 29.05(9)(a) will trigger the application of 940 CMR 29.05(9)(d).

29.06: Investigation

~~Whenever~~Following a timely complaint filed pursuant to 940 CMR 29.05, where the Attorney General has reasonable cause to believe that a violation of M.G.L. c. 30A, §§ 18 through 25, has occurred ~~that has not been adequately remedied~~, then the Attorney General may conduct an investigation.

(1) The Attorney General shall notify the public body or person that is the subject of a complaint ~~and an investigation~~ of the existence of the investigation within a reasonable period of time. The Attorney General shall also notify the public body or person of the nature of the alleged violation.

(2) Upon notice of the investigation, the subject of the investigation shall provide the Attorney General with all information relevant to the investigation. The subject may also submit a memorandum or other writing to the Attorney General, addressing the allegations being investigated.

If the subject of the investigation fails to voluntarily provide the necessary or relevant information within 30 days of receiving notice of the investigation, the Attorney General may issue ~~subpoenas~~one or more civil investigative demands to obtain the information in accordance with M.G.L. c. 30A, § 24,~~(a)~~, to:

(a) Take testimony under oath;

(b) Examine or cause to be examined any documentary material; or

(c) Require attendance during such examination of documentary material by any person having knowledge of the documentary material and take testimony under oath or acknowledgment in respect of any such documentary material.

Any documentary material or other information produced by any person pursuant to 940 CMR 29.06 shall not, unless otherwise ordered by a court of the Commonwealth for good cause shown, be disclosed without that person's consent by the Attorney General to any person other than the Attorney General's authorized agent or representative. However, the Attorney General may disclose the material in court pleadings or other papers filed in court; or, to the extent necessary, in an administrative hearing or ~~other action taken to conduct or in a written determination to~~ resolve the investigation pursuant to 940 CMR 29.0007.

29.07: Resolution

(1) No Violation. If the Attorney General determines, after investigation, that M.G.L. c. 30A, §§ 18 through 25, has not been violated, the Attorney General shall ~~terminate the investigation and notify, in writing, issue a written determination to~~ the subject of the ~~investigation complaint~~ and ~~copy~~ any complainant.

(2) Violation Resolved Without Hearing. If the Attorney General determines after investigation that M.G.L. c. 30A, §§ 18 through 25, has been violated, the Attorney General may resolve the investigation without a hearing. The Attorney General shall determine whether the relevant public body, one or more of its members, or both, were responsible, ~~and whether the violation was intentional or unintentional.~~ The Attorney General will notify, in writing, any complainant of the investigation's resolution. Upon finding a violation of ~~the~~ M.G.L. c. 30A, §§ 18 through 25, the Attorney General may take one of the following actions:

(a) Informal Action. The Attorney General may resolve the investigation with a ~~telephone call,~~ letter or other appropriate form of written communication that explains the violation and clarifies the subject's obligations under M.G.L. c. 30A, §§ 18 through 25, providing the subject with a reasonable period of time to comply with any outstanding obligations.

(b) Formal Order. The Attorney General may resolve the investigation with a formal order. The order may require:

1. immediate and future compliance with M.G.L. c. 30A, §§ 18 through 25;
2. attendance at a training session authorized by the Attorney General;
3. nullification of any action taken at the relevant meeting, in whole or in part;
- 3-4 that minutes, records or other materials be made public; ~~or~~
5. that an employee be reinstated without loss of compensation, seniority, tenure or other benefits; or

~~4.6~~ other appropriate action.

Orders shall be available on the Attorney General's website.

(3) Violation Resolved After Hearing. The Attorney General may conduct a hearing where the Attorney General deems appropriate. The hearing shall be conducted pursuant to 801 CMR 1.00, et seq., as modified by any regulations issued by the Attorney General. At the conclusion of the hearing, the Attorney General shall determine whether a violation of M.G.L. c. 30A, §§ 18 through 25, occurred, ~~and~~ whether the public body, one or more of its members, or both, were responsible, ~~and whether the violation was intentional or unintentional.~~ The Attorney General will notify, in writing, any complainant of the investigation's resolution. Upon a finding that a violation occurred, the Attorney General may order:

- (a) immediate and future compliance with M.G.L. c. 30A, §§ 18 through 25;
- (b) attendance at a training session authorized by the Attorney General;
- (c) nullification of any action taken at the relevant meeting, in whole or in part;
- (d) imposition of a fine upon the public body of not more than \$1,000 for each intentional violation; however, a fine will not be imposed where a public body or public body member acted in good faith compliance with the advice of the public body's legal counsel, in accordance with M.G.L. 30A, § 23(g);
- (e) that an employee be reinstated without loss of compensation, seniority, tenure or other benefits;
- (f) that minutes, records or other materials be made public; or
- (g) other appropriate action.

Orders issued following a hearing shall be available on the Attorney General's website.

(4) A public body subject to an order of the Attorney General following a written determination issued pursuant to 940 CMR 29.07 shall notify the Attorney General in writing of its compliance with the order within 30 days of receipt of the order, unless otherwise indicated by the order itself. A public body need not notify the Attorney General of its compliance with an order requiring solely immediate and future compliance pursuant to 940 CMR 29.07(2)(b)(1) or 940 CMR 29.07(3)(a).

(5) A public body or any member of a body aggrieved by any order issued by the Attorney General under 940 CMR 29.07 may obtain judicial review of the order through an action in Superior Court seeking relief in the nature of certiorari. Any such action must be commenced in Superior Court within 21 days of receipt of the order.

29.08: Advisory Opinions

The Attorney General ~~may~~will generally not issue advisory opinions ~~on request or at his or her own initiative to provide.~~ However, the Attorney General may issue written guidance to public bodies and the public on changes to M.G.L. c. 30A, §§ 18 through 25, court decisions interpreting M.G.L. c. 30A, §§ 18 through 25, or other developments concerning M.G.L. c. 30A, §§ 18 through 25.

~~(1) The Attorney General shall ordinarily make a draft advisory opinion available~~address common requests for comment~~interpretation.~~ Such written guidance will appear on the Attorney General's website ~~at least 60 days prior to the planned issuance of the opinion.~~ Notice of the posting ~~shall be provided to the Commission.~~

~~(2) Comments on the draft advisory opinion shall be submitted, in writing, to the Attorney General at least 30 days prior to the planned issuance of the opinion.~~

~~(3) Action taken by a public body in good faith compliance with an advisory opinion, provided that the circumstances are not materially different, shall not constitute an intentional violation of M.G.L. c. 30A, §§ 18 through 25.~~

29.09: Other Enforcement Actions

Nothing in 940 CMR 29.06 or 29.07 shall limit the Attorney General's authority to file a civil action to enforce M.G.L. c. 30A, §§ 18 through 25, pursuant to M.G.L. c. 30A, § 23(f).

29.10: Remote Participation

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating 940 CMR 29.10, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the ~~Open Meeting Law~~M.G.L. c. 30A, §§ 18 through 25, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, § 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements

of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, § 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of 940 CMR 29.10, with that vote applying to all subsequent meetings of that public body and its committees.

(g) Local Commissions on Disability. In accordance with M.G.L. c. 30A, § 20(e), a local commission on disability may by majority vote of the commissioners at a regular meeting authorize remote participation applicable to a specific meeting or generally to all of the commission's meetings. If a local commission on disability is authorized to utilize remote participation, a physical quorum of that commission's members shall not be required to be present at the meeting location; provided, however, that the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location. The commission shall comply with all other requirements of law.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other; as required by M.G.L. c. 30A, § 20(d);

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, § 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, § 23D.

(5) Permissible ~~Reasons~~Reason for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), only if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance would be unreasonably difficult:

- (a) ~~Personal illness;~~
- ~~(b) Personal disability;~~
- (c) ~~Emergency;~~
- (d) ~~Military service; or~~
- (e) ~~Geographic distance.~~

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications.

~~1i.~~ telephone, internet, or satellite enabled audio or video conferencing;

~~2ii.~~ any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the

person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely ~~and the reason under 940 CMR 29.10(5) for his or her remote participation.~~ This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, § 22.

(8) Further Restriction by Adopting Authority. 940 CMR 29.10 does not prohibit any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) from enacting policies, laws, rules or regulations that prohibit or further restrict the use of remote participation by public bodies within that person or entity's jurisdiction, provided those policies, laws, rules or regulations do not violate state or federal law.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

29.11: Meeting Minutes

(1) A public body shall create and maintain accurate minutes of all meetings, including executive sessions, setting forth the date, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes, in accordance with M.G.L. c. 30A, § 22(a).

(2) Minutes of all open and executive sessions shall be created and approved in a timely manner. A "timely manner" will generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. The Attorney General encourages public bodies to approve minutes at the next meeting whenever possible.

REGULATORY AUTHORITY 940 CMR 29.00: M.G.L. c. 30A, § 25(a) and (b).

LEGAL alert

TO: All School Committee Members and Superintendents
FROM: Stephen J. Finnegan, Esq.
DATE: October 24, 2017

*File
Open
Meeting
Law
Regulations*

Attorney General's Revisions To Open Meeting Law Regulations Effective October 6, 2017

This alert is to provide you a brief summary of the changes to the Open Meeting Law Regulations prepared by the Massachusetts Office of the Attorney General that became effective on October 6, 2017. The complete Revised Regulations may be found on the website of the Attorney General. Below you will find the Attorney General's summary.

Explanations for the Attorney General's Revisions to the Open Meeting Law Regulations, 940 CMR 29.00-29.11

September 25, 2017

The Attorney General has promulgated revisions to the Open Meeting Law regulations in an effort to help members of public bodies and the public better understand the requirements of the Open Meeting Law and to update the regulations to conform with guidance issued by the Attorney General. These revisions become effective on October 6, 2017. Below is a summary of the material revisions to each section of the regulations and an explanation of why the revisions were made.

29.01: Purpose, Scope and Other General Provisions

There are no revisions to this section.

29.02: Definitions

A revision to this section removes the definition of the Open Meeting Law Advisory Commission because the Commission is not otherwise referenced in these regulations, making this definition unnecessary. This section also adds definitions for regional and county public bodies to clarify their jurisdiction. State and local public body jurisdictions are generally understood and thus are not defined here.

In the definition of intentional violation, a revision removes a phrase that offers a defense to the imposition of an intentional violation where a public body reasonably relied on the advice of counsel. Language describing a defense to the imposition of a fine where a public body reasonably relied on the advice of counsel now appears in section 29.07, the section describing penalties.

29.03: Notice Posting Requirements

A significant revision in this section removes the various alternative notice posting options for local public bodies and offer a single alternative to the bulletin board: a website. Few, if any, municipalities have adopted alternatives other than the municipal website. Another significant revision clarifies that the chief executive officer of a municipality must make the decision to adopt an alternative notice posting method for the municipality. The Attorney General has received numerous requests from municipalities seeking guidance as to who has the authority to adopt alternative notice posting methods. This language clarifies that authority.

The Attorney General often receives questions about the effect on meeting notices when a website becomes unavailable for public bodies that have adopted a website for posting notices. An addition here offers a balanced approach to give a public body or a municipality a short window of time to restore website access before requiring public bodies to cancel their meetings and post new notices.

Additional language requires the date and time that notices are amended to be recorded on or with the notice, which conforms with guidance provided in the Attorney General's Open Meeting Law determinations.

29.04: Certification

Most of the revisions here reorganize the section to make it easier to follow. A significant revision requires that new public body members receive a copy of each determination by the Attorney General that the public body violated the Open Meeting Law, over the prior five years. This requirement will ensure that new public body members are aware of their public body's history of compliance with the law and any orders that the Attorney General may have issued, thus reducing the risk of repeat violations and intentional violations. Additional language offers guidance in response to questions the Attorney General regularly receives regarding certification.

29.05: Complaints

A significant revision creates an option for public bodies to request mediation with a complainant who has filed five or more complaints within the prior 12 months. This option is for public bodies that respond to frequent complaints from the same complainants and may assist in resolving ongoing conflicts. If the public body requests mediation and the complainant fails to participate, then the Attorney General may decline to review the complaint.

Another revision clarifies that public bodies must meet to review Open Meeting Law complaints. This requirement has been made clear in the Attorney General's determinations. Also, in this section is a clarification that complainants must file complaints with the Attorney General within 90 days of an alleged violation or reasonable discovery of the alleged violation. Currently, the regulations do not account for reasonable discovery. Finally, the changes remove language and subsections that are not relevant, or are rarely, if ever, invoked.

29.06: Investigation

A revision in this section clarifies that, while the Attorney General will generally not disclose information provided by the subject of a complaint in the course of an investigation, the Attorney General may reveal such information in a written determination where necessary to resolve the

complaint. The Attorney General will continue to maintain the confidentiality of executive session minutes and documents where the public body has not yet publicly released the executive session minutes.

29.07: Resolution

The most significant revision in this section removes the requirement that the Attorney General resolve complaints after a hearing before issuing orders of nullification and reinstatement of an employee. This means that the Attorney General may order nullification of an action taken by a public body in violation of the Open Meeting Law, or order the reinstatement of an employee, without the necessity of a hearing before an administrative law judge. This allows the Attorney General to issue such orders sooner, avoiding harm to those who rely on a public body's action that would otherwise be nullified many months later. A public body still has the right to appeal the Attorney General's order within 21 days.

Another revision clarifies that, while the Attorney General may fine a public body for an intentional violation of the Open Meeting Law, a fine will not be imposed where the public body acted in good faith compliance with advice of counsel. This is a requirement in the Open Meeting Law itself.

A significant revision to this section requires public bodies that receive an order from the Attorney General to certify in writing to the Attorney General its compliance with the order within 30 days. Typical orders requiring written certification include approval and release of meeting minutes and attendance at a training. No such certification is required for orders of immediate and future compliance. This requirement will help the Attorney General ensure that public bodies comply with her orders. This section also clarifies that the Attorney General does not resolve complaints by telephone.

29.08: Advisory Opinions

The Attorney General has never invoked this section, and by policy, does not issue Open Meeting Law advisory opinions. Rather, the Attorney General provides written guidance on common concerns available on the Frequently Asked Questions pages at the Attorney General's website. The update to this section reflects that practice.

29.09: Other Enforcement Actions

There are no revisions to this section.

29.10: Remote Participation

The most significant revision to this section replaces the five permissible reasons for remote participation with the sole requirement that to participate in a meeting remotely, physical attendance at the meeting be unreasonably difficult. This single standard should help public body members and the public understand when it is appropriate to participate remotely. The five permissible reasons currently provided in the regulations add another level of administration to remote participation procedures. Another revision reflects a recently adopted amendment to the Open Meeting Law that applies to local commissions on disability.

29.11 : Meeting Minutes

This revision adds a new section describing public bodies' obligations to approve both open and executive session meeting minutes. It also provides guidance by addressing the meaning of "timely manner" for the approval of minutes. The Open Meeting Law requires public bodies to approve meeting minutes in a timely manner. Public bodies that approve meeting minutes within the next three meetings, or 30 days, whichever occurs latest, will have approved minutes in a timely manner. While this timeframe is not a rigid requirement, as a public body may show good cause for further delay, it should help encourage public bodies to develop a schedule for prompt creation and approval of meeting minutes.