

**EXETER-WEST GREENWICH  
REGIONAL SCHOOL DISTRICT**

**October 9, 2012**

**MINUTES**

**The form and content of these minutes conform to commonly accepted standards and shall become the official record of the meeting after review and approval by the School Committee. By definition, minutes are not a verbatim record for the proceedings.**

The Exeter-West Greenwich Regional School District School Committee held a meeting on this date at 6:00 p.m. in the Jr. – Sr. High School Library. Members Present: Mark Rafanelli, Vice-Chairperson; Valerie Zuercher, Clerk; Theresa Donovan, Paul McFadden, Claudine Pande, Lee Kissinger. Members Absent: Teri Maia-Cicero, Chairperson Others Present: James Erinakes, II, Superintendent of Schools; Robert Ross, Director of Administration; Student Member Hannah Morgan (arrived at 6:07 p.m.)

**ORDER** –Vice Chair Rafanelli called the meeting to order at 6:02 p.m. The Pledge of Allegiance was recited and Clerk Zuercher read the District Mission Statement.

**Open Forum** – Sharon Pelsler thanked the School Committee and school district for believing in EWG Sports 4 Kids and for the fabulous Youth Track Program that ran this summer. A little more than 400 children participated in the program and the first 4-minute outdoor mile in Rhode Island event that took place was very exciting.

**PRESENTATION – Student Member Report** – Item postponed until Student Member arrives.

**ROUTINE ITEMS – CONSENT AGENDA-** Superintendent Erinakes gave an overview of the Consent Agenda.

In response to Vice Chair Rafanelli’s inquiry, Mr. Ross said the Special Education van is used primarily to transport ALP and special needs students to and from career to work program activities. The van is not used for transporting students from home to school. Superintendent Erinakes added there is actually a law that talks about the use of school vans not being permissible for picking up or dropping off students at their homes.

Member Pande moved to accept the consent agenda, which was seconded by Member Kissinger. The motion passed (6-0).

The following items were approved:

- A. Approval of Minutes – Regular Meeting Minutes of September 25, 2012**
  - B. Personnel Items**
    - 1. Appointments**
    - 2. Leaves of Absence**
    - 3. Resignations**
    - 4. Grievances**
    - 5. Non-Renewals**
    - 6. Recalls**
    - 7. Sabbaticals**
  - C. Bills – In the amount of \$297,587.60**
    - 1. Home School Approval**
- End Consent Agenda**

Student Member Morgan arrived at this time, (6:07 p.m.).

**Presentation - Student Member Report** – Vice Chair Rafanelli introduced Hannah Morgan as the new School Committee student representative. He explained to Hannah that typically the role of the student member is to give a brief report on student activities and to bring forward any issues from students. He welcomed Hannah and said she has proved to be a great candidate choice for the committee. Members introduced themselves and welcomed Hannah onboard.

**Correspondence** – (1) Superintendent Erinakes' September 24, 2012 Response Letter to Susan Hawksley, Exeter Fire Marshal with Attached Correspondence from Ms. Hawksley to the Superintendent; (2) Superintendent Erinakes' October 1, 2012 Letter to Teachers regarding Common Core State Standards in Mathematics; (3) Social Responsibility and Social Networking- *A Journey into Internet Safety, Sexting, and Cyberbullying* Flyer; (4) EWGRSD October 2012 NECAP Testing Schedule; (5) 8/28/12 – 9/30/12 Discipline Reports

There were no comments or questions from members regarding Correspondence.

**MONTHLY SUBCOMMITTEE REPORT(S) – Policy Subcommittee** – No Report  
**IT Subcommittee** – No Report  
**Public Relations Subcommittee** – No Report

**MONTHLY STATUS REPORTS – Superintendent** – There were no comments or questions from members regarding Monthly Status Reports.

**Business**

**Special Education**

**Maintenance**

**Technology  
Track Program**

**NEW BUSINESS –Request for Indoor Track Program** – Superintendent Erinakes informed the committee that a request for adding an indoor track program for girls and boys at the senior high school has come from the community. A detailed outline of the fiscal impact has been provided. The funds are not budgeted because the district did not anticipate adding an athletic team. Several school districts in the state run indoor track programs. EWG is a school that chooses to allow students to participate independently but does not have a formal program.

Vice Chair Rafanelli called upon audience members Bob and Ann Rothenberg to provide details about the program. Mr. Rothenberg said approximately four-fifths of the high schools in the state have indoor track programs. Schools that do not have a program are allowed to have three student athletes participate as individuals. There has been an interest building in the EWG community in this sport because of the summer program. That program is going to continue to feed kids through the middle school and into the high school and interest is going to continue to build. He shared his professional opinion that it is almost impossible to have a successful spring program if you give up the three or four months during the winter when other teams are training. Mr. Rothenberg listed various locations that students could practice during the winter months. Mrs. Rothenberg said one issue at EWG is there are more than three girls and three boys that would like to be on the indoor team. Currently there are 20 to 30 girls and boys combined that are interested in participating.

Mr. Ross verified that there is not \$12,200 available in the budget to fund the program. Vice Chair Rafanelli said that currently there are two EWG sports teams not funded by the school budget. He does not see how the committee could say yes to track students when it denied requests from hockey and gymnastics students. He wants to help but does not see how the committee could think about appropriating funds the district does not have at this time. Clerk Zuercher said the track program is fabulous and the volunteers have done a phenomenal job. Member McFadden said that he is a big advocate of track and he would love to see an indoor program at EWG. However, both Zuercher and McFadden agreed, for the same reasons stated by Rafanelli, that the committee could not approve this request

Mr. Rothenberg asked what the committees' policy is on funding the program either partially or completely by the community to get the program started to see if interest is there. Vice Chair Rafanelli said that that is what the hockey team has done. The team pledged to raise its own funds for three years and will then come back to see what the school department's fiscal piece is. The gymnastics team did not ask the committee for funding. They just fundraise. In response to Mrs. Pelsler's inquiry, Vice Chair Rafanelli said that should EWG Sports 4 Kids decide to bring back a proposal, it could be brought

at the next meeting. Superintendent Erinakes advised Mrs. Pelsler if an item needs to be added to the meeting agenda, the information would come through his office so that all the necessary information gets in the packet for the committee. He said they could talk on the telephone about the logistics.

Mrs. Pelsler distributed personal invitations to members and administrators for the 10<sup>th</sup> Annual Stephen J. Anderson Road Race and Track Dedication event and said she hoped everyone would attend.

**Employee BCI (Bureau of Criminal Identification) Background Checks Discussion –**

Member McFadden said this agenda item, which fed off the volunteer BCI discussion that took place at the last meeting, relates to periodic rechecks of staff backgrounds. It is prudent in his line of work, the financial industry, that you must notify the employer of any criminal charges brought against you. He does not consider it an invasion of privacy. It is a matter of fitness for employment because school employees are dealing with minor children.

Superintendent Erinakes advised the district actually has policies in place that includes language that if an employee is charged with a felony there are mandatory reporting requirements with implications.

Vice Chair Rafanelli said that he is in favor of periodic rechecks perhaps every three to five years. Rechecks would provide assurance that nothing has changed for people entrusted with students

Attorney Andrew Henneous arrived at this time (6:32 p.m.).

Member Donovan said she thought it was a good idea to do periodic rechecks as long as it is done across the board with no exclusions. It makes sense that people should continue to be qualified. If it is a standard for employment in the first place, it probably should be required throughout the employment. However, she would rather have a larger discussion on the matter.

Member McFadden proposed sending this to the policy subcommittee to draft language that the committee could discuss. Vice Chair Rafanelli noted the committee would want to understand the fiscal aspect of it too. Clerk Zuercher once again raised her concern that BCI checks do not identify offenses that do not rise to the felony level but puts kids at risk. She questioned how those offenses could be captured. Member McFadden said that could be part of the policy.

Member Pande said she did not think the policy subcommittee has enough information to draft a policy. She requested a little more guidance. The Superintendent had talked to the attorney about looking at other convictions or non-convictions when researching

background checks. That opens an assortment of problems and leads to a lot of potential liability. If a policy is written by picking and choosing, it really needs to be for specific reasons that relate to the safety of kids. There are many things to consider. Should the policy include actual convictions? There are individuals that stand before a judge and pled not guilty but still receive consequences. Could such policy bring ACLU action?

Clerk Zuercher asked if legal opinion would be helpful. Vice Chair Rafanelli suggested that Superintendent Erinakes network with other superintendents to see if there are other districts that have similar policies already in place that extend beyond the list of disqualifying offenses. That could give the policy subcommittee something to start with.

Member Pande asked Superintendent Erinakes to seek information from Attorney Henneous regarding if there are any cases where anybody has been sued for having extended beyond the list of disqualifying offenses included in the general laws. Also, if there is any case law with the ACLU or anybody has come to those committees and brought action against them. And then again, network to see if any other school districts have policies extending beyond what is in the general laws that have not raised issue.

Member McFadden suggested contacting Attorney Ragosta instead. Member Pande said Attorney Henneous has been addressing the issue with the volunteers. This would be a continuation of that work. She is trying to save the district money. Member McFadden said he liked mixing opinions among legal bills. He would leave it up to the committee/administration but would certainly prefer Mr. Ragosta since he has had a great deal of dealings in this area.

**Discussion Regarding School Calendar/Professional Development Needs –**

Superintendent Erinakes referenced the additional information he provided, which outlines all of the initiatives the district has signed onto according to the RTTT (Race to the Top) application, along with several of the other initiatives to be implemented at a local level. He said the PD training needs of staff is overwhelming. The administrative team has discussed and reviewed ways to find time with staff to move forward with achieving many of these goals. Prior to looking at intensive planning, he is seeking approval from the committee to begin investigating the possibility of a couple of early release days for students in the current school calendar. It would help lessen some training costs if some of the training could happen during the day while teachers are already working. Early release days would not affect the amount of time students are required to attend school. RIDE has ruled for early release days for other districts as long as the average instructional day meets requirements. Other opportunities for training are being explored as well. Administrators have talked about reconsidering how the one remaining PD day could be used and about utilizing principal faculty meetings to work on items on the list. In response to Clerk Zuercher's inquiry, the Superintendent said that

there has been no push back from the teachers' union leadership and there has been no negative feedback from teachers.

Consensus of the committee was to have the administrative team pursue investigating early release days for students in the current school calendar.

**UNFINISHED BUSINESS – BCI (Bureau of Criminal Identification) Background Checks Discussion (Volunteers)** – Member Pande recapped that the committee has been considering expanding the scope of background checks for volunteers and has been discussing whether imposing a national background check requirement and the \$36 fee that it involves is a burden to parents. This policy began five years ago and renewals are now coming up. The process needs improvement. Member Pande said she believes that requiring a volunteer to have a national check with fingerprints for \$36 every two to three years is reasonable. Hardship cases could come to the school department. She asked the Superintendent to report out the information he received from Attorney Henneous.

Superintendent Erinakes said one question that the committee requested feedback on was how to access information about additional offenses that we would consider by our policy to be disqualifying events and if we have a legal basis to do so. The attorney advised that the district should consider the following potential issues that any policy can create. Superintendent Erinakes said he thinks these are important to the policy subcommittee to consider if the School Committee moves forward in this regard. He read Attorney Henneous' response aloud.

- A. *Offenses need to be directly related to the safety of children. These may at some point need to be justified.*
- B. *The ACLU has filed suit in three different forums under the old statute. If we anticipate that, an aggrieved mentor/volunteer filed complaint against the policy with the ACLU that they will aggressively get involved.*
- C. *Verification and interpretation are problematic. The website contains a disclaimer as to relying on it. I (Attorney Henneous) am aware of at least one instance in which it was inaccurate and created a problem for a committee.*

Member McFadden said it just brings to our attention that information listed on the website needs to be verified. With regard to the ACLU, what would they aggressively pursue? Employees are regularly discharged from employment for noncriminal events. It is hard to believe that if there is some criminal activity going on with an employee that we do not reserve the right to discharge them.

Superintendent Erinakes said he believes that Attorney Henneous' point is to just consider these things before moving forward. The question was asked specific to the *volunteer* policy. Therefore, do we prevent somebody from volunteering, which is

different than the conversation regarding employees. Attorney Henneous' other concern was,

*D. To specify and address issues such as nolo pleading, filings, and so forth.*

Superintendent Erinakes concluded there are a lot of specifics that we would really need to spell out, put a lot of thought into, and then get legal opinion on before any policy revisions came to the committee for approval.

**Recycling Discussion – Approve Recycling Dumpsters for Wawaloam and Metcalf Schools** –Item continued to the next meeting agenda.

**Approve School Committee Reimbursement Request** – Clerk Zuercher said she had asked Chair Cicero to provide documentation regarding reimbursement, which she did. Therefore, she would approve Chair Cicero's request for reimbursement at this point.

Member McFadden moved to approve the reimbursement request by Teri Cicero regarding cell phone usage, which was seconded by Clerk Zuercher. The motion passed (5-0-1). Member Pande abstained.

**Technology Update** – No Report

**Capital Project Update** – Mr. Ross reported the bid specs for the parking lot project were made available for pick up today. One vendor came to pick up drawings. Mr. Ross said he sent out emails to six additional vendors today. Each of the six vendors bid on the previous RFP a couple of years ago. He anticipates more activity. A pre-bid walk through will take place on October 12. After which a bid award recommendation should come to the committee for consideration.

**Reports/Comments** – None

**Important Dates and Meetings** – **Tuesday, October 23, 2012 – School Committee Meeting; Thursday, October 25, 2012 – Negotiations Meeting @ 5:PM; Thursday, November 1, 2012 – Negotiations Meeting @ 5:PM; Tuesday, November 13, 2012 – School Committee Meeting; Tuesday, November 27, 2012 – School Committee Meeting**

**EXECUTIVE SESSION – RIGL 42-46-4 and RIGL 42-46-5** – Motion made by Clerk Zuercher to go into Executive Session in accordance with RIGL 42-46-5(a)(2) – Litigation Update/Discussion: RIDE Litigation regarding Transportation to non-public/non-profit schools, which was seconded by Member Pande and voted as follows:

Mark Rafanelli	Yes
Valerie Zuercher	Yes
Lee Kissinger	Yes
Claudine Pande	Yes
Theresa Donovan	Yes
Paul McFadden	Yes

Meeting recessed to Executive Session at 7:05 p.m.

Motion made by Clerk Zuercher to reconvene to Open Session, which was seconded by Member Kissinger. The motion passed (6-0).

Meeting reconvened to Open Session at 6:45 p.m.

During Executive Session, a motion was made by Clerk Zuercher to move forward with interim hearing at RIDE, which was seconded by Member Pande. The motion passed (4-2). Member Kissinger-No, Member McFadden-No

**Adjournment** – Motion made by Member Donovan to adjourn, which Member Pande seconded. Motion passed (6-0).

Meeting adjourned at 8:20 p.m.

ROBIN CERIO  
CLERK