

CRANSTON SCHOOL COMMITTEE MEETING

THURSDAY, FEBRUARY 16, 2012

CRANSTON HIGH SCHOOL EAST

(Please note different location)

899 PARK AVENUE

EXECUTIVE SESSION: 6:00 P.M.

IMMEDIATELY FOLLOWED BY PUBLIC MEETING

AGENDA

The regular meeting of the Cranston School Committee was held on the evening of the above date in the Library Media Center at Cranston High School East with the following member present: Chairperson Iannazzi, Mr. Traficante, Mrs. Ruggieri, Mrs. Culhane, Mr. Bloom, Mr. Lombardi and Mrs. McFarland.

The meeting was called to order at 6:13 p.m. and convened to Executive Session pursuant to RI State Laws PL 42-46-5(a)(1) Personnel; PL 42-46-5(a)(2) Collective Bargaining and Litigation (Ahluquist vs. Cranston School Committee); (Contract Negotiations' Update – Custodians, Secretaries), (Consideration of legal options regarding status of aid to education appropriation and legal advice relating to same).

Call to Order – Public Session – The Pledge of Allegiance was conducted; Public Session was called to order at 7:20 p.m. The roll

was called. A quorum was present.

Chairperson Iannazzi reported out that no votes were taken during Executive Session and that Executive Sessions was suspended; the School Committee will return to Executive Session later.

Superintendent's Communications

Good Evening:

Tonight the Cranston School Committee will make a decision as to whether or not to appeal the decision to the United States Supreme Court regarding the Cranston High School West Banner.

As Superintendent, I along with my staff am ready to support the decision whichever way this School Committee chooses.

As was the case after the decision was rendered a month ago by a lower court, despite what was written and broadcasted in the media, within 30 minutes of the notification of the decision, the administration, the School Committee, the Mayor, the Cranston Police Department and most importantly Cranston West, had everything necessary in place for a successful school day that Thursday and Friday.

The days following the lower court's decision at Cranston West, despite what was being reported, was and continues to be typical of a

high school. In fact, for an entire school year prior to the court's decision, Cranston West functioned quite normally as it has for over 50 years. Principal Knowlton has told his students on a number of occasions how proud he is of them despite the misinformation that has been reported and he welcomes anyone to visit his school to see first hand how smoothly the school day runs.

In preparation of tonight's vote, we continue along with the School Committee, the Mayor, the police and Cranston West to have everything necessary in place to insure a successful day tomorrow.

We are supposedly in the information age, however, as a result of the social media there are times when we are in the misinformation age. The vitriol is mind boggling to all of us; something we have little or no control over the social media.

Over the last few days I have received hundreds of emails from people from all over the world with their opinion on this matter. Many included a phrase that I haven't heard since the Democratic National Convention in Chicago in 1968 which is, "the whole world is watching."

As a school teacher first and always I remind everyone of your conduct this evening, especially in light of the media coverage and certain robo calls sent out prior to tonight's meeting. I ask that you are respectful to those who are speaking, especially the children

attending Cranston Public Schools who will be speaking at the podium. I hope that the world will look proudly at Cranston for its civil discourse and the school committees' duly elected responsibility to come to a decision on this matter this evening but the way the world views Cranston is up to you.

Ms. Iannazzi began Chairperson's Communications with a statement from our Attorney Joseph Cavanagh. After Mr. Cavanagh concludes, Ms. Iannazzi will go over the ground rules for this evening.

Mr. Cavanagh

I've met with the School Committee; I represented the City and I've interpreted this decision and I wanted to just make some general comments. I've also followed in the media, some of the reports and peoples' attitudes and thoughts on this and I've received dozens of calls myself in the office from all over the place; mostly in support of keeping the prayer/mural up. I don't want this to be a Civics lesson but I think it might help people to focus on the issues here and what we're dealing with from a legal perspective. First of all, let me say bluntly, despite what a lot of people think, this is not about "Prayer in Public School". In 1962 the US Supreme Court decided that there would be no more prayer in public school. That was decided a long time ago. A lot of people think that was wrong but that's the law and in fact more moments of silence in schools; the purpose of silent meditation under our constitution has been ruled by our court to be wrong.

This case, we thought, was a display case because it wasn't "Prayer in School"; that was the position of the City. There's a line of cases called "Display Cases" that have been decided by the Supreme Court.

Then there's a line of cases called "Prayer Cases" that have been decided by the Supreme Court. We were hoping that the lower court judge would look at this as a display case. He looked at it as a prayer case. Why did he do that? I think because it says, the school prayer. That's a problem, right?

When I got involved in this, I started...I looked at the facts and I said how can we argue that this is a display case under these circumstances. What we learned; and I'm going to take a little bit of time to tell you how it got up there and how it's been used because we thought that was important for the court to consider. How it got up there was that it was a brand new school; first graduating class; it had been written by Mr. Bradley, who you've all heard about. He wrote the prayer and during the time when it was legal under our Constitution to have prayer in school, that was the prayer that they recited at Cranston West. Very shortly after he wrote it and after they started to recite it, was when it became illegal in school (1962). The class of 63', in an effort to bring tradition to the school; not in an effort to affront the Supreme Court, I think completely oblivious of that ruling in those days, just decided as many classes would do to give gifts. They gave the Creed and they gave what's been called the "Prayer Banner". It's not a banner; it's actually on the wall; it's a

mural. In any event, it says, the “school prayer”. I think the evidence was very clear that for decades no one ever recited that prayer from the time it went up. Certainly in recent times, no one ever referred to it. I think there are countless thousands of students at Cranston West who didn’t even know it was on the wall. That’s important, actually when you get back to what’s at stake here but that’s why we thought it was a display case. We thought it was not a prayer in school; it was a historic gift from the first graduating class that happened to have some religious words in it. No one was looking at it as a prayer; no one ever looked at it as a prayer, ever, once it got on the wall. That’s what this is about.

The judge thought it was a prayer case and one could say, because it says prayer; and then he made comments about heavenly father and amen being Christian or not. We didn’t argue; we knew we would lose if we argued that it was a prayer of any type; if it was a universal prayer. We had to argue that it was a secular display. That’s how we would win the display cases; that’s how you win the display cases. The U.S. Supreme Court, a few years ago, allowed the Ten Commandments to be in the Texas State House grounds because they found it was primarily secular. They said that no one had ever complained in the years it was up and they thought it would be divisive if they took it down. We argued; no one has ever complained except this one time in 50 years; it was secular; it was never used as a prayer and we think it would be divisive if you were ordered to take it down. I have great respect for this judge; in my opinion he is the

best judge that I've ever been before since I've been a lawyer. He's been a judge for 40 years; he calls them as he sees them. He's as straight and honest as can be and he decided that he saw this as a prayer case. He looked at the law; he said that this is a prayer. You can't have that in a school.

What are the options? The way these cases go is you could appeal to the first circuit in Boston. It's not a trial; you submit briefs; you make arguments and try to convince five judges that this Judge Lageaux was wrong and all of these cases I've been talking about should be display cases and we should win. Not because we have the right to have the School Prayer; we have the right to have the gift to the class of 63' which is a historical relic. If we lost that appeal, there is an appeal to the U.S. Supreme Court. It's not automatic. It's discretionary. The Supreme Court, for any number of reasons, might not take that and that depends on the dynamics and the politics of the Supreme Court.

What are the costs involved here? Just so everyone knows; there's been a fee petition for \$173,000 for the work that was done so far. What is that based on? That's based on the statute passed by Congress that gives someone a right, if they prevail in a Civil Rights Case; and in this case it was ruled that the first amendment was being violated, to get their council fees. That's where that comes from. That's not damages to the plaintiff or anything; it's just council fees. We have the right to fight about that petition if we want but a lot

of work was done and frankly, I don't think it should be \$173,000 but it's not going to be \$50,000. The judge is going to give some money there. If we appeal, and the City loses in the First Circuit, there will be more fees automatically under the Statute, provided that they're justified. If a decision is made if you lose in the First Circuit to go to the Supreme Court, there are more fees. Let me give you an idea of the magnitude of the money we're talking about. We got a petition for \$170,000. My estimate based on 37 years of doing this is that there would be fees of \$75,000 - \$100,000 to the First Circuit. If it went to the Supreme Court, there would be fees in the range of \$200,000 or more. What's facing the City in my view from a pure cost point of view to run this up the ramp, hoping that the Supreme Court might take it as a display case not as a prayer case, it would cost the risk of a half of a million dollars. That has nothing to do with paying lawyers representing the City. That's not an issue. Those are the costs involved.

Let me return to one thing. I know and can tell what peoples' attitude is towards this but I just want to say one aspect of this. I've made this distinction between the display and the prayer. The kids at Cranston West, for the last 50 years, have not been deprived of school prayer other than the decision that was made a long time ago by the Supreme Court. By the decision by Judge Lageaux, those kids are not being deprived of school prayer because that mural was never used for school prayer. Candidly most of the kids didn't even know it was there. If you're in the auditorium, unlike this auditorium, it's

darker; you can only see it from half of the auditorium. The record shows it was never referred to; it was never in the handbook of the school; it truly was a historical relic. Everyone who's upset and I'll tell you I believe that spirituality plays a role in our lives; it plays a role in our laws; it plays a role in our culture; prayer is important. But in this case, this mural doesn't represent prayer being taken away from these kids. It represents something else. I think it's something that all of us have. That's why we said the Pledge of Allegiance like we did; that's why we feel like we did. I think a lot of people think that God should be in public life too because God is part of our life. (Applause) This case, though, won't solve that problem. That's all I'm telling you. Because it's a display case. I know where Mr. Young is coming from but I'm just telling you that this case will not solve what you people and what I feel inside about why this is wrong. I only say that to you because if it is taken off the wall, these kids can still go on; they've learned a tremendous lesson, I would think, if it's presented positively and handled correctly by everybody. They've learned a tremendous lesson; in fact, people have been awakened to the idea that we're in a Country right now where 50 years ago, we took prayer out of school. Maybe people will be motivated to do things about that; do things in their lives. I only would say that this particular case, knowing what I know about how this was used in the school, wouldn't affect the life of these kids one bit in school. What it does do, though, is the class of 63' had a purpose and it's a shame, actually, that they get caught in the cross-fire because their class wanted to have a legacy and it appears it's going to have to come

down because it happens to have some religious words in it. That's not a good thing. It's different than what I think has motivated a lot of people here because they think this is about prayer in school. It really isn't about prayer in school. That battle was fought a long time ago.

I thought that would be helpful for people to know; I get great strength from the fact that I can tell that people think this is an important issue. It just may be that this case isn't the right way for it to come up but it's an important issue.

One other thing; I don't agree with the plaintiff; I don't agree with the ACLU at all (Applause) but one of the great things about our Country is that they have the right to stand up for their rights. I think that the lesson for the kids to learn and for all of us to learn is to respect those rights and that's the way we try to conduct this case; that's the way the School Committee wanted us to do it and we did that. I'd only say that for all of us who think prayer and spirituality are important, why do we do it? Why do we pray; we are praying to a God that we think is good and kind. And to treat other people, even though we disagree with them, with lack of kindness and lack of understanding really doesn't make any sense at all. I don't want to sound like I'm preaching. I just have watched this go on and listened and I know that most people don't feel that way and for those who do, everyone ought to take a step back and say that we're fighting for prayer and school or we think it's important to even have religious

words in a display but then some people treat others badly and that is so inconsistent. I just say, look, this is an important issue tonight. I think everyone should treat each other with respect; I was proud to represent the City; I graduated from this school in 66'; I started here in the fall of 63' and I remember our principal standing right up here on this stage, and I came from a Catholic School; grown up Catholic; I remember he said, "Ok, now I'm going to do this" (Clapped three times) and he said, "Last summer the Supreme Court decided that we can't have prayer in the school any more so when I do that at the assembly, we will have a minutes of silence and you can do whatever you want because we're not supposed to pray." Everyone in that room knew what that meant. Now since that time, moments of silence are not condoned by the court. That's where we are in the law. Judge Lageaux didn't decide that; that was decided a long time ago by our Supreme Court. I could answer questions but I can't do that. I hope I've covered some areas for you and set the tone and set the table for what the issues are that confront this committee. Thank you.

Ms. Iannazzi

On behalf of the School Committee, we really just want to take a moment and thank you because we have made a life long friend here and regardless of what occurs tonight, this School Committee knows that we share a piece of history with you. You have been an ultimate gentleman and a distinguished scholar; so thank you.

Ms. Iannazzi

At this point, I'm just going to go over some ground rules. Actually first there are two State Representatives in the audience that I did want to point out. Cranston's own Representative Charlene Lima (Applause) and I believe I also saw Representative Doreen Costa walk in. If there are any other elected officials, I apologize because we can't really see into the crowd. Just to go over the general rules, there are four pages of speakers signed up to testify this evening. We are going to hear from Cranston residents first. When you are called up we ask that you give your name and your address for the record. Each speaker has three minutes; all comments have to be directed to the Chair, which is me. If you stray from that rule and you attempt to direct your comments to anyone else, I will assume that you have forfeited your time. We are going to end public speaking this evening at 10:00 at which time the School Committee will have their comments and we will take a vote. Because of that, we ask that you have your comments as quick as possible and if you have already testified, we'd ask that you forgo your testimony this evening.

Also, if you have nothing new to say that has already been said before, you can just give your name and your address and state either opposition or support. Once again, I'm going to remind the general public that remarks must be kept respectful; we have a large crowd this evening and we want to be able to get through all of the speakers. I ask for no interruptions and please at this point shut all of your electronic devices on silent or vibrate. Also there are children in the audience so I'm going to ask that you attempt to keep your

comments at a “G” rated level. We’re now going to move on to School Committee Member Communications:

Mr. Lombardi

I’m going to reserve my comments about the agenda item for later in the evening but I do feel compelled having to respond to a read several e-mails in the hundreds from all over the country; all over the world regarding tonight’s topic. We’re going to play a lively experiment tonight and I’m going to steal a phrase from a lively experiment. That phrase is my outrage of the week. My outrage of the week comes from a particular person who I am not going to dignify by name but who has chosen to write on the social media blogs and the websites and the face books and all of that stuff, the following phrase and I quote, “LOL...I can’t imagine that there’s anything dumber than the Cranston School Committee. Just sa’in!” I don’t feel the need to have to defend my colleagues on this School Committee but irrespective of whatever we decide tonight, I can safely say to you that the seven members of this School Committee work very hard; they are the hardest working elected officials in the State of Rhode Island as far as I’m concerned. And, while we do not agree on all items, we do our research; we read everything that’s given to us and we do what we believe is our individual opinion of what’s best for the folks of Cranston. The people who elect us. So, when someone uses the phrase that she can’t imagine that anyone’s dumber than the Cranston School Committee, I feel compelled to evoke my first amendment right to say that she’s dead wrong! I think

that this person is a person who may very well be intimately involved in the Agenda item for tonight but she said that and I feel compelled to say that this School Committee is called upon each and every week to make difficult decisions. I can remember when I was the fourth vote to move the sixth grade back to the elementary school and I was greeted with two or three hundred boo's when I did that. I did that because I wanted to save \$1.2 million in the budget and I did that because the Superintendent and the Assistant Superintendent, at the time, recommended it. The point is we make hard decisions every single night that we're here; we make decisions that affect children and we make decision that affect their educational livelihood. When someone takes to the blogs and calls us dumb, I would say to you that I think we all know in the room who the dumb one really is when they say that. Whoever said it, and I know you know who said it, please refrain from saying dumb things like that in the future. Lastly, I assure you that this School Committee did not blindly vote to expose itself to \$173,000 worth of legal fees. We did so after great deliberation and great expectations. There was nothing dumb about it; it was deliberative and it was done after much research and much guidance wherever that guidance came from. There's nothing dumb about us. Thank you.

Mr. Traficante

Mr. Lombardi, having spent 30 years as an elected official in the City, I can tell you first hand that nothing gets kicked more than the seat of government. We have to grin and bear it; tell them to take their best

shot but keep in mind that we have the last say.

Mrs. Ruggieri

On a completely different note, because we have such a large audience which we usually don't have at our budget meetings and things like that, I did want to mention that BASICS is having a fund raiser on February 23rd at Pinkberry in Garden City. Pinkberry is very generously donating 100% of the sales that day to our After School Music Program that is run by a group of parent volunteers; equally important to promoting our children's education. I thought that since we had such a large audience we can boost our sales that day and hopefully everyone will support our public education and our students and our programs and would love to see this kind of a crowd when we are actually doing budget work, through the City.

Mrs. Culhane

One more plug for BASICS; for those of you that don't know what BASICS is, it is a parent advocacy group. They have started a group called Music is Instrumental, which is currently providing elementary school music which we had to cut because we did not have the money to fund it, to 250 children throughout the elementary schools in Cranston. They're at a table in the back; although you can't take beverages and food into the auditorium, I welcome you to visit their table, ask questions, support them by buying some food and maybe even make a donation so that they can continue their mission where we're not able to afford to do that right now.

Mrs. McFarland

I want to quickly add that BASICS is really one of the educational groups in our City and there's so many parents out there giving so much of their time throughout the City that probably each of you could go and leave \$1.00 when you leave this auditorium. It would be the first time we have had that large of a donation in the City of Cranston. I thank you.

Ms. Iannazzi

We are going to start with Cranston residents as follows:

Jerry Zito from the class of 1963

Good evening. I was the Vice President of the Cranston High School West Class of 1963. I'm here this evening with a number of my classmates as well as the 50th Reunion committee. Spoke in clarifying some of the history that is clouded and also proposed what the Class of 63 would like to see regarding what takes place no matter what decision is rendered.

Representative Charlene Lima, 455 Laurel Hill Ave.

I want to thank you all for all of the work you've done on this issue. Asked the committee to vote to appeal the judges ruling. Obviously, the majority of the residents of Cranston want you to appeal. I also feel quite strongly that the ruling was not justified by the facts in this

case.

Kate Katzberg, Talbot Manor

I'm not wearing an appeal sign; what must that mean? I believe the separation of church and State is important much in the way that I believe in the wisdom of the three branches of government. In favor of not appealing the judges decision.

Susan Friendsim, Oakland Ave.

Teacher in Providence; teaches English. In favor of not appealing the decision.

Ilda Pedro, 16 Forest Ave.

Not in audience at this time.

Jim Forte, 80 Tupelo Hill Dr.

I am a communicate of St. Mark's Church in Garden City. In favor of appealing the decision.

Annette Bourne, 51 Community Dr.

In favor of not appealing the decision.

Martha Cussler, 50 Community Dr.

Urged the committee to accept the courts decision.

Dan McCarthy, 95 Walden Way

Spoke on supporting Jessica Ahlquist and the decision of the judge.

Steven Findley, 123 Burbank St.

If we ever forget we are one Nation Under God, then we are One Nation Gone Under.

Thank you.

Graham Nye, 188 Mapleton St.

Impressed by Mr. Cavanagh's presentation and by the Superintendent's presentation. He is in favor of not appealing the decision.

Michele Verduchi, 43 Harwood St.

Spoke in favor of not appealing the decision.

Rosemary Tregar, 58 Glen Ave.

Speaking as a mother of children who attend Cranston Schools and a parent and a Clinical Social Worker. Spoke against the appeal of the decision.

Salvatore Loporchio, 22 Beacon St.

Spoke in favor of appealing the judge's decision.

Paul Verduchi, 43 Harwood St.

Graduated East in 1971 and quoted someone who he graduated with

(Jacob Adler).

Spoke in favor of not appealing the decision.

Judith Ellinwood, 35 Rugby St.

Spoke on not appealing the decision of the judge.

Steve Berquist, 189 Legion Way

Hopes that the School Committee appeals this decision.

Joe Dias, 107 Sundale Rd.

Spoke on the need to appeal this decision made by the judge.

Jason Jovin, 309 Olney Arnold Rd.

Spoke on not appealing the judge's decision.

David Sears, Student at Cranston West

I am a Catholic first and all else secondly. I have read the banner several times during assemblies and while I'm in band. This is not something that people just ignore. No one is enforcing religion. In favor of appealing the judge's decision for the students.

Brenda Myette, 11 Bryant Rd.

Born in Cranston, resident for 59 years and a Cranston School teacher. Appreciate Mr. Cavanagh's very clear explanation to this situation. We need to stand up against one person that is able to command a \$173,000 bill for the Cranston School Department. We

need to appeal the decision so that other things will not be done unnecessarily.

Kimberly Goldthwait, 27 Hoffman Ave.

Asking the committee to not proceed with the appeal of the judge.

Domenic Fusco, 167 Fiat Ave.

Would like to see the banner stay up; however, personal feelings cannot come into this decision. Since the budget recently sees a light at the end of the tunnel, he asked that the committee not appeal the decision of the judge.

Denise Marcello, 400 Everill Rd.

We need to stand together to appeal this decision. Our leaders need to be role models for our children at Cranston West. We need to show them that we can fight for what they believe in.

Richard Leahey, 1753 Phenix Ave.

Spoke on his favoring of appealing the decision of the judge.

Bernadette Conte, 20 Cardi Circle

I am a resident of Cranston and a parishioner of St. Mary's Church in Cranston. Speak to the committee on a different level. Spoke on a trip she went on and how she was treated and how she had no rights in this particular country; a communist country. Never spoke on what decision she was in favor of.

Bobby Bach, 36 Azalea Ct.

Spoke on his children who have been and are going to be attending Cranston Schools.

Asked that the Committee not appeal and spend the money on the students of the City.

Beth Reale, 52 Roslyn Ave.

Spoke on the establishment clause which does not promote a religious creed. I would suggest that the decision is clearly up to the committee but she would hope that at this point they would consider what the class of 63' would like to do and consider one of their options in looking at the semantics of the banner. I'm begging you to hear what everybody is saying. The word Amen is an affirmation or you're affirming approval or expressing approval.

Dick Tomlins, 400 Farmington Ave.

I think the police should probably arrest everybody in this auditorium.

This is a public building with public money and we said, "In God We Trust", "We Pledge the Allegiance", with the name of God in there.

Asked the committee to appeal the judge's decision.

Doug Tarnopol, 37 Rose Hill Dr.

Spoke in favor of not appealing the judge's decision.

Jeannine Freeborn, 172 Paine Ave.

I am a graduate of East and I have a child in East and I believe that it is time for this to stop. Mr. Cavanagh explained the situation; the money should be spent on our children for their education. The prayer situation has already been decided. She asked the committee to not appeal this decision.

Jennifer Hushion, 55 Bluff Ave.

Spoke in favor of not appealing this decision. It does not make any sense on a fiscal view.

Chris Campanile, 55 River St.

Spoke on articles from the Providence Journal that he felt was helpful. He explained these articles. He also gave the committee a couple of suggestions.

Fr. Andrew George, 37 Azalea Ct.

I wanted to commend the School Board and administration for their due diligence on this topic and also on its importance of providing opportunity for this type of dialog. He had a couple of questions. Shouldn't we appeal the \$173,000?

Since Mr. Cavanagh was still in attendance, the questions were asked of him. Attorney Cavanagh answered that why the judge decided that it was a prayer instead of a display case is explained in his opinion. It has school prayer in it; it has the words "heavenly father"; it has

petition words and it says, "Amen". A discussion ensued.

Ms. Iannazzi stopped the exchange at this point because we usually don't allow for exchange of dialog between any speakers and she thinks that Mr. Lombardi asked for a quick acceptance because he also wanted to know the answers to these questions; however, at this point they are going to stop the questions and answers and move on.

Mr. Lombardi asked Mr. Cavanagh if he could possibly answer the other two questions.

Mr. Cavanagh

You can break down the money. It's hours spent by a lawyer and they document it and they have an available rate. That's how it amounts to \$173,000. There are transcripts of depositions, stenographers, briefs, etc. Has nothing to do with damages. It's up to the judge to whittle it down.

Christian Frangos

Would like to present that he is a student of Cranston West and he started there last year and hopes to graduate there sometime in 2014. He spoke on the banner being a piece of history. He stated that it should be appealed and should remain. The bullying issue that people are bringing up is not happening. It has never happened. People are kind to her and do not say a bad word to her.

Richard Canning, 57 Vincent Way

My wife and I are both products of the public school system in Cranston. My son is a Junior at Cranston West. Spoke on how Jessica handled this issue in the beginning. He asked the committee to appeal the judges decision.

Nancy Krahe, 20 Denver Ave.

She has been a resident of Cranston for 20 years. Asked the committee to not file an appeal at this time and to abide by the court's decision.

Dawn Trudell, 48 Marcy St

Jessica is one child that had a choice. We have two high schools and she could have transferred to Cranston East if she didn't like what was on the wall at West. She went on to speak on her and her family.

Kevin O'Keefe, Sr., 27 Cadillac Ave.

Susan O'Keefe, 27 Cadillac Ave.

Neither of them was present.

Terrence Kane, 32 Brooke St.

He stated that he supports appealing this decision.

Paula Goldberg, 47 Paine Ave.

A few times I've heard tonight that this is a Christian nation. It isn't just a Christian nation. I am offended to keep hearing that it is. We are a diverse nation and we need to accept diversity here. Please do not appeal this decision. Do not want any more taxpayer's money spent on this issue.

Dr. Judith Gallagher, 12 Dartmouth Rd.

In favor of appealing the decision. Also noted that her children go to West and her children are being told not to talk about it along with the teachers; their freedom of speech is being violated. Why isn't Jessica being stifled?

Peter Paoella, 4 Heritage Ct.

Class of 75'. I'd like to thank all of you for your diligence and patience and your hard work for nearly two years on this issue. I urge the committee to appeal this decision.

Jean Canning, Vincent Way

Alice Iannelli, “

Doris Cooney

They are here but they wanted to do a video. Ms. Iannazzi noted that there is no deferring to other speakers by video.

Beth Laurenson, 192 Shaw Ave.

Read a poem to the audience, “The School Prayer”. She was wondering if the person that made the complaint, changed her mind,

would the prayer stay up. The question could not be answered.

Tony Estrella, 1079 Narragansett Blvd.

Not Present.

Mary Genco, 17 Robynlyn Dr.

In favor of appealing the judge's decision; noted that she would like to donate to help financially in this appeal.

Amelia Mancini, 28 Carpathia Rd.

Not Present

Jane Ladouceur, 17 North St.

I am a 1966 graduate of West and four of my children went through the Cranston Schools. Her mother taught at West and would be the first one to say to appeal the decision of the judge. She is in agreement with her mother to appeal. She noted that her next door neighbor made two posters for her tonight. He would also like the committee to appeal. Ms. Ladouceur would also like to help with any fund raising.

Alice Petrone, 24 Bretton Woods Dr.

In favor of supporting an appeal. Member of West Class of 69'. She noted that Mr. Tony Lupino was a member of her class.

Rev. Duane Clinker, 23 Davis Ave.

I am Pastor of Open Table of Christ. Noted that we have a choice

which traditions we will honor. Not in favor of appealing.

Cassandra Michael, 42 Magnolia St.

Spoke on the matter being the opinion of only one student. She noted that the Liberty Council will represent the people who want to keep the banner up for free.

Her general sentiments were on the side of the ACLU.

Denise Paquet, 130 Hope Hill Terrace

Position on this issue is to encourage the committee to appeal the decision. She firmly disagrees with Judge Lageaux's decision on the neutrality principal that he elaborates on in his opinion. Also shared a personal experience she had growing up on Long Island.

Richard Paquet, 130 Hope Hill Terrace

He has been a Cranston resident for over 25 years with two children who attended Cranston schools. My children and I want you to fight this. Money should not be an object here.

Paul Hossfield, 31 Jennie St.

Not Present

Mary Mateise, 24 Lawnacre Dr.

I say appeal, appeal, and appeal. Is money really the problem? She

puts her faith into something that is not seen. I will also be glad to give money toward this appeal myself along with my family.

Chairperson Iannazzi

At this time, we have gotten through two pages of all of the Cranston residents that signed up to speak so at this point we are going to stop Public Comment and turn the debate to the Cranston School Committee.

Prior to doing this, the School Committee would like to thank the Cranston Police Department for all of their assistance this evening, specifically, we want to acknowledge Chief Palumbo who is present and has been of great assistance. The Fire Marshall is also present and we would like to thank the Fire Department for all of their help as well.

Ms. Iannazzi asked Attorney Cascione if he would like to put on the record, the conversation that was had with the members of the Attorney General's Office which indicated that we could stop public comment at 10:00 p.m.

Attorney Cascione

The Attorney General's Office regarding the Open Meetings Act made it very clear that first of all you don't even have to have public comment but if you choose to do so, you can set whatever rules regarding the time of the speaking or the curfew. You have your own

by-laws and rules that you have a curfew of 11:00 p.m. so it's reasonable that in the Attorney General's mind, you put this type of curfew on the public speaking.

Mr. Lombardi, at this time, respectfully made a motion that this committee vote to appeal the court decision with respect to Jessica Ahlquist. Mr. Traficante seconded the motion. Discussion:

Mr. Lombardi

The purposes of this discussion, I had indicated that I was going to defer my comments until later in the evening. When this all started I went out on a long dissertation as to why I had voted to maintain the mural at that particular time. I said, first as an elected official, it was my understanding and my belief that the majority of my electorate believe that the mural should stay on the wall. Secondly, I indicated that as a lawyer of 24 years, in my opinion, this was a winnable case before the District Court. Third, I had indicated that I was a practicing Catholic and I went into that and when I went into the practicing Catholic part of it, little did I know that I would be punished in the opinion. I was punished and perhaps rightfully so. There were words...Mr. Nero spoke about being a lector and I spoke about being a member of Holy Apostles Church and always saying my rosary every day and somehow Judge Lageaux took that and began to call what our meeting was, a religious revival, at that point. It took somebody smarter than me to point out that this case was not a case about religion. That was Joe Cavanagh. I think Chairwoman Iannazzi

said it best earlier when she says that we now have a lifetime friend and it's been a pleasure to have met Joe Cavanagh on this basis and to now call him my friend. I had the privilege, being a lawyer, you have the joy of watching two good lawyers in a discourse before the Judge and I say Lynette Lavenger and I saw Joe Cavanagh duke it out before Judge Lageaux in oral arguments. Joe rather calmly indicated to the court, "Judge, this is not about a prayer, this is about a mural; a traditional relic that has been on the wall as a gift of what we learn to be; the first graduating class throughout 1963." Forgive me for the slang but I learned a hell of a lot more after that because Ms. Lavenger took my deposition for about six hours and I learned a lot about the Jerry Zito's of the world and everything that they did. Nothing has changed my mind over the last few months including Judge Lageaux's decision. I believe Joe is absolutely 100% correct ...this is what the Van Orden case called a "Secular Monument" on the wall that happens to have a reference to a religious deity and that's all it is. I got into a debate with Ron Cascione about this, who's my dear friend, and I said this isn't religion, this isn't a prayer, etc. and Joe was absolutely right; it's a traditional historic monument that has bothered no one for 58 years. I think, for that reason and that reason alone, we have an opportunity to prevail. That being said, even if we were to go down that religious path and it seems that both sides have decided to take that religious path in this case; and I heard tonight about bloodletting and persecutions and Atheism and Roger Williams and why he came here and why he didn't come here and all of that stuff. And, still if we went down religious grounds we were the

test case in Rhode Island in 1991 and for all the people on both sides of this that say it's clearly unconstitutional or it's clearly constitutional, your eyes are probably better than mine, ladies and gentlemen because there's nothing clear about this case. I gave Joe a copy of something that a friend of mine gave me. It's called the Inside Story of the Struggle for Control of the United States' Supreme Court. I happen to live the 1991 case because one of the lawyers for the Providence School Committee was involved in the Wiseman Case and I was intimately involved in the Wiseman Case. Little did I know, that the opinion when the judges first got together, the opinion in that case which involved a prayer at a graduation ceremony; it involved you having to listen to me say a prayer to you, which is not this case. In that case, five of the Justices of the Supreme Court in a private conference, ruled that it was constitutional. Chief Judge Renquist, at the time, assigned the deciding vote to Justice Kennedy to render the decision. Justice Kennedy took four months to render that decision. At the conclusion of four months, Justice Kennedy decided he had changed his mind. That's how the vote went in Wiseman; 5 to 4 to find that that prayer was unconstitutional. If anybody sees this as a clear case, I submit to you that 9 of the brightest minds in the United States differed on a school prayer case involving an actual prayer in front of an actual audience and subjecting those people to it. I submit to you, it is not a closed case. As far as the last part, and I see signs up here, "We support Jessica Ahlquist", I support Jessica Ahlquist because she's brought the debate before us. I don't necessarily agree with J.A. but I support what she has done as she has her right

to do. I support her being safe in her school; being protected in her school and having the right to make her decisions the way she wants to do that. I fully support that.

That being said, there's this monetary issue out there that everybody's grasping at and Joe staggered a few people tonight by saying if we go all the way to the Supreme Court, it might be \$500,000. What we're forgetting is if we win, it will be nothing. I say to you, I offer this and I understand that I will be criticized for being fiscally irresponsible in making this decision. I am voting to appeal and I will put my money where my mouth is. I will support and I will lead the school committee on any fund raising efforts to defend this appeal and I am going to pledge the first \$1,000 of my own money towards that appeal. Thank you.

Mrs. Ruggieri

I am one of three people who voted to not enter into a lawsuit when this process began. My reasons were simple. I am responsible for every student and employee of the Cranston School Department. I am responsible to the tax payers of Cranston who elected me to do my job and an important part of my job is to maintain fiscal responsibility without detriment to the quality of education we provide all of our students. This has not been easy during my almost four years on this board. Prior to my coming on to this board, we lost a lawsuit that cost us millions of dollars and we are still trying to pay that money off. To any of you who believe that our budget has any money in it to fight a lawsuit, you are ignorant in history and the ways

of Cranston Public Schools. I did not believe that we could afford to spend money on something that was not related to improving the quality of education. That being said, I have sat back and listened and watched a lot of stories; newspapers, television, face book, twitter, u-tube and other social media and I feel the need to respond to some of the inaccuracies that I have heard and read. First of all, neither Ms. Ahlquist or the ACLU came to us and said that if we just took down, “our heavenly father” and “amen”, that they would not pursue any form of litigation with us. We had thought of changing the banner to alter the words, “our heavenly father” and “amen” but in an article dated July 22, 2010, Mr. Brown from the ACLU stated:

Changing the wording may work but it will take more than simply removing the first and last lines.

Then on July 24th, he presented, in the Providence Journal, a version of the banner re-written and approved only by the ACLU that would have meant completely altering the banner. That was not an option that we were looking at. Secondly, we were not given the option to alter the banner during the presentation by the sub-committee; how it worked was that the sub-committee met and came back to us with two options: we were given the option of leaving the banner up and pursue the legal process that we have gone through; or take the banner down. Those were the only options that we were given. Thirdly, this whole thing started with a parent who attended some type of presentation in the auditorium and saw the banner. Instead of

this person going to the school administration, the school principal or the school committee, in order to work out some type of compromise; this person went straight to the ACLU. I truly believe we could have avoided almost two years of everyone's time and energy if she had just approached the school department. I want to clarify one other thing. This is not the first time that someone had an issue with this banner. Years ago another person went to the administration because they were uncomfortable about the banner and was able to work through it. You don't know anything about it because it was never brought before a lawsuit or any type of litigious track. It was worked out between the parties. The threats that were made to Ms. Ahlquist that occurred by students in school, were dealt with by the school administration. Those made outside of school, were handled by the police. No formal complaints were filed by anyone from the Ahlquist family to school officials after the original complaint. The school department has never tolerated bullying and has made every effort to keep things on an even keel for all of our students during this process. I believe that certain members of the media have not given accurate portrayals of what has occurred during this whole process. As an elected official I understand that people are going to be upset by decisions that are made but the lack of respect, courtesy, and decent behavior that has been shown, not only to Ms. Ahlquist, but to every member of this committee, is truly disheartening. What I found is a lack of tolerance. I have taught my children that if they have something to say to someone or about someone and they feel they can't say it to the person's face, then it

probably shouldn't be said. The unfortunate aspect of our social media generation is that people believe that they can say whatever it is that they feel like saying with no consequence. We have been threatened, called ----- bigots, dam to hell, told to place body parts up other body parts, had money thrown at us, been called names and in general, been insulted by all groups interested in this issue. This is the one area that I think everyone pitched in equally. Ms. French threw money at us during one meeting; Mr. Young has repeatedly threatened us with not getting re-elected which maybe should concern us because he does know how to lose an election. Ms. Flitman has stated in a post on face book, "I can't imagine that there's anything dumber than the Cranston School Committee". A Mr. Polite from Arkansas called us "disgrace to America" cursed at us and told others to be respectful and that he would take care of the spam and hate mail. The latest slew of e-mails sent to us via a request from the Freedom from Religion Foundation had information on it that was not accurate. When two members from this committee contacted them to let them know that maybe they should be factual in their information when they're asking people to try and support someone, they didn't really care about the accuracy; they felt it was semantics. The group that I truly feel deserves an apology for all of the commentary bad press and distraction during this issue is the faculty and staff and students at Cranston West. They have tried over and over again to get back to work and focus on their jobs educating all of our students. Yet day after day, they have to put out fires and try to keep the peace; all the while trying to deal with newspaper articles, news

shows and the like vilifying their character, their ability to do their job and their student body. This does not even take into consideration the time that they have spent away from their jobs removing protestors from the premises, working with the Cranston Police, patrolling the parking lots so that nothing happens at dismissal, having extra hands on deck at dismissal to make sure things are going smoothly, and handling the students and their concerns. At one point, Principal Knowlton had arranged for a group of students and teachers to speak to the press to the Providence Journal. They were respectful in voicing their opinions and concerns yet none of this was reported. The kids were upset that they could not be heard and they had a right to be upset. The interesting thing is that there has been a group of people, and I see some of them at the top of the auditorium, who have been outside Cranston West at various times holding signs in support of Ms. Ahlquist. You don't know anything about this because nothing happened; it's not newsworthy because it was a peaceful demonstration; nobody bothered them; they didn't bother anyone, but you would never hear anything about that. The school administration did ask them to leave school grounds because no protestors would be allowed on school property. As far as the group that is telling people to vote us out if we do not appeal, I don't know if you have the full understanding of all of the issues involved in being on a School Committee. I have heard you tell us that you have signatures but it takes money to appeal; money that we do not have. Money that while I've heard people say they're willing to give; this has been going on for two years and we have not seen a dime

from anyone saying, "Here is the money; now move forward". This is not an issue that our school district can handle right now. Our City is not going to be supportive of this. Not only fiscally but they are actually going to be deducting this money from our school budget. Our students are going to suffer. This is not a job I get paid to do but it is a job I take very seriously. I look at every aspect of every issue then I make a decision. I would hope that anyone voting in an election would do the same. I do believe that something positive can come of this; the message of the banner that hadn't been seen or noticed by many is now something well known. If even one person takes to heart the true meaning of this message then that is a good thing. If we can begin to educate our students and ourselves about how to treat each other with kindness and respect then maybe that is a good thing too. This process has really made me question my own beliefs and it has also shaken my faith in the basic goodness of human nature.

Mr. Traficante

The hour's late and many of us are tired. I know the school committee is very tired in dealing with this issue for the last two years and unfortunately it has overshadowed a most critical issue and that is the budgetary process of our district and the children's education for 2012-2013. I want to preface my remarks by saying that I respect the opinion of each of my colleagues on this board and I will respect the decision of this board. I was, as you well know, one of the four who voted in favor of keeping the banner in place. My colleague, Mr.

Lombardi has always brought a legal perspective; a very eloquent perspective, to the issues that we deal with. He certainly makes a great deal of sense; he brings forward a legal argument to appeal and I commend him for that and I support him on that. However, my background is not of the legal profession; it's from education and its government. I am a traditionalist at heart; maybe it's because of my age and my generation. I've lived in this great city practically all my life with the exception of my military service. I've been proud to serve as an educator and as an elected official. I believe I know Cranston and I believe I know the people and I certainly know her history. It's a city with a great deal of pride. It has a long history of traditions; it has a legacy unmatched anywhere in this State in terms of our educational accomplishments, our safe neighborhoods, our fine services and a good government, just to mention a few. I am offended and sick and tired of hearing about our city and our school department being depicted as an institution of prejudice, hostility and lack of compassion. It is not in her nature; it is not in her tradition; it is not part of her legacy. Whether we want to hear it or not, ladies and gentlemen, this country was built on Christian principals; and that's well documented. A diverse God is part of our culture. The NBC poll recently proved that; it's part of our pledge and its part of the greatness of this nation. Don't forget that. However, this is not the argument here tonight. One of our students displayed her greatness; one of our students displayed her courage and her convictions and I admire here for that. She succeeded on her goal and that's commendable. However, I too have the courage of my

convictions and all I know is that the banner was placed there by the class of 63' with the best of intentions and it's complemented with words and values that every one of our students should acquire. That banner is not about prayer; it is not to establish a religion; it is symbolic. It is a historic gift in displaying. It reflects the tradition of that time; it's a piece of our city's history; it is secular in nature and it's not religious. I believe it's worth fighting for. Thank you.

Mrs. Culhane

If anyone had told me almost four years ago when I first insanely maybe chose to run for School Committee because I cared about school issues and my children's education; that I would be sitting here tonight before hundreds of people, dozens of police, the fire department and fire chief and protection, I would have said you were all crazy; but yet here we are, so maybe I'm the crazy one. Of the seven school committee members, three of us voted to not go to court. This was not about the constitutionality of the banner or about church vs. state. The actual wording of the resolution was not whether or not to take the banner down or leave it up; it was about whether or not we should spend money on a lawsuit. It was and continues to be an issue for me that is about education. Contrary to some unfortunate comments that have been made at past meetings, the Cranston School Committee does not have 133 million dollars of disposable income. All 133 million of those dollars are earmarked for the education of our students; all 11,000 of them. There is not one dime of that budget that can or should ever be spent on anything

other than education, which includes salaries and benefits for the people who educate our students. For anyone who would like to check this fact, I invite you to go to the Cranston Public Schools website and read the entire budget. If you can find a spare \$173,000 or a half of a million dollars, I would like to know about it. As a member of the School Committee I am charged with the care and control of the education of our students. I have an obligation to them, their parents and to you, the taxpayers of the City of Cranston. I do not care to pontificate on my faith or religion. That is between me, my family, my church and most importantly, my God. If you want to vote me out because I'm doing my job as an elected official; then you are free to do so. I don't know how the rest of the committee is going to vote but I do wish that people would stop saying, "you can't make it about the money" or "you can fundraise the money". Where were all of you when I had to cast my vote to cut Music from my children's education? Where were you when I had to tell my daughter that I had to cut funding for her Gifted Program? And if we appeal where will all of you be when we have to possibly close schools, layoff teachers because we spent money. Money that was meant for education spent on a lawsuit. Will you come with me to tell 11,000 children whose education will be ruined; that it was all for the best. Maybe for all of you it's not about the money and for you it doesn't have to be; but I was elected to make educational and financial decisions for the students and the tax payers of this city and I, unlike you, do not have that luxury.

Mr. Bloom

I hope you will judge my comments not with applause. I came here tonight. I have some notes here. I don't have a prepared speech because I figured that tonight was going to be filled with rhetoric on both sides of this issue. I hope everyone will remember that everyone is a winner and everyone is a loser here. The winners are the constitution having to be supported. The loser is that someone is going to leave here tonight upset with the outcome. The applause for one side or the other doesn't help our community. Please think about these issues as the school committee deliberates. From the start I never really saw this as a constitutional issue or a fiscal issue. The seven of us sitting here along with the Superintendent and the Assistant Superintendent; our main responsibility is to provide a supportive environment for our students for their education. That includes everyone; not the majority; even the minority of one; the smallest minority which is what the purpose of the constitution was set up; to protect everyone. The legal decision that has been rendered by Judge Lageaux hasn't changed my view on whether this is a constitutional or a fiscal issue. It is still an issue that we have one student who is upset by something hanging up on the wall. That may not sit well with many people in the room here but we have many events in our history in which times have changed. Only recently the State Capital in South Carolina removed the Confederate Flag that was hanging over their capital dome. Why?...because people were upset over the symbol and what it represents. There was a great film in 1962 just around the same time, To Kill a Mockingbird and the

advice of Adecus Finch to his children is you need to walk around in the shoes of the other person in order to understand how they think. That's what's happening here. We have two groups of people who are having a very difficult time understanding how the other person feels. Our primary responsibility is to establish an environment in which all of our students can be supported in their education. For that reason, I will be continuing to vote to remove the banner.

Mrs. McFarland

Although I was one of the four votes to actually fight the opportunity to have the banner remain for its historical significance to the school and to the class that graduated in 1963, I have mulled over this idea; I have tossed and turned over it; I have lost sleep over it. What I happened to do today was go to the Economic Progress Institute Breakfast at Rhodes on the Pawtuxet where I saw many of my neighbors from Cranston and many of the people that I work with in the community. What I saw is... as you know we've been named the distressed community and our poverty has increased in Cranston and in our school system and our infrastructure needs work. Times have changed and not only our school, our City, our Country and given that events..we can't keep the past. We can't stop the change from coming. Lots of things continue to change and you will have to change with the world as it happens to go. Given that ...given that.....(the audience became very loud). Mrs. McFarland: Don't disrespect me; I didn't disrespect you. I sat here for three hours and listened to you every single time you've come to a meeting and

spoken. This is what I don't like about this community. You have divided yourselves in half. You should be ashamed of yourselves. My job is to support the educational nature; that's what I serve for on the School Committee. When I was on the City Council, I supported this city as a whole. We don't have a half of million dollars to spend on fighting an issue that will continue to separate this city. I would much rather see us move onyou know what...I have clearly made my decision. I think it's unfair of you not to respect it; I think it's unfair of you not to understand my position. I have respected each and every one of you as you have spoken to me and I will let you know the constituency that I represent feels very comfortable with the decision that I have made. I've talked to my community and based upon that, my vote will be not to appeal.

At this time, the Chair was assumed by Mr. Lombardi.

Ms. Iannazzi

I also did not prepare anything for this evening but I have taken notes and I have listened very intently on everyone and what they have said. I have said all along that I think the decision as to whether or not to support the appeal is a three prong decision to make. The first is that we have to consider the cost to Cranston Public Schools to continue to be represented and that is the easiest prong because we have great council in Joe Cavanagh and Joe Cavanagh has graciously agreed to continue to represent the Cranston Public Schools as far as we wish to take this appeal. That was an easy

prong to get to. The second prong to get to is the likelihood of success of an appeal. As Mr. Lombardi said earlier, I think that there's really no answer as to the likelihood of success for either party here. I don't think there is a clear cut issue; I think that the current makeup and composition of the Supreme Court would favor Cranston Public Schools opinion here and would favor an appeal but you have to keep in mind, it's a long shot that we get there. It's not a guarantee that the Supreme Court would take this decision. The third thing that we would have to consider, if we decided it was worth the gamble to try to get to the Supreme Court, is what the potential exposure to the District is. Tonight we learned that Mr. Cavanagh believes it is in the grange of $\frac{1}{2}$ of a million dollars. This is where the discussion becomes, in my opinion, disturbing. The ACLU knows the fiscal situation that Cranston's in and they're using it to their advantage, in my opinion. They're trying to force our hands and in a way they have succeeded because you've already heard from four members of the School Committee who have all identified finances as a reason behind their vote not to appeal. The ACLU is going to get what they want here but it is solely because of the fiscal condition of the City of Cranston. What can Cranston do with $\frac{1}{2}$ million dollars? Just so that the general public understands; what can the Cranston School Committee do with $\frac{1}{2}$ million dollars? We can fund the EPIC Program for a year; we could fund the Elementary Music Program for a year; we could hire five Math Coaches to work on our Math scores; we could do a lot but the question becomes whether that $\frac{1}{2}$ million dollar gamble is worth sacrificing potential programs in Cranston. I

think that this entire process has been frustrating. I think it's frustrating to see the attention that has been paid on this and the lack of attention that has been paid upon the very important work that we do each and every day. Over the past year we have negotiated monumental concessions. We have increased our NECAP Math scores at the Middle School level; all but one of our elementary schools are high-performing; we have implemented a new Teacher Evaluation Tool; we have started work in Science and Math with the DANA Center. None of these real landmark activities have been covered by the media but the banner has. Just to echo some of my colleagues concerns is what is wrong with today's media. Educating our youth is the most important thing we do on a daily basis and we need to refocus the conversation on that. At this time, without the \$500,000 and the guarantee of any money, I cannot support an appeal.

The chair was passed back to Ms. Iannazzi

There being no further discussion, the role was taken:

(Yes – appeal and No – not appeal)

Mrs. Ruggieri No Mr. Traficante Yes

Mrs. McFarland No Mr. Lombardi Yes

Mrs. Culhane No Mr. Bloom No

Ms. Iannazzi No

A motion to reconvene to Executive Session was made by Mr. Lombardi, seconded by Mrs. Culhane and unanimously carried at

10:45 p.m.

The School Committee came back into public session at 10:55 p.m. to seal the executive session minutes.

Executive Session Minutes Sealed – February 16, 2012 – Moved by Mr. Lombardi, seconded by Mrs. Culhane and unanimously carried to seal the minutes of the February 16, 2012 Executive Session.

Adjourn Meeting

A motion to adjourn was made by Mrs. Culhane and seconded by Mr. Bloom. All were in favor. The meeting adjourned at 10:55 p.m.

Respectfully submitted,

Frank S. Lombardi

School Committee Clerk