

# **EAST PROVIDENCE SCHOOL DEPARTMENT**

**East Providence City Hall**

**145 Taunton Avenue**

**East Providence, Rhode Island 02914**

## **School Committee Special Meeting**

**April 6, 2009**

### **Open Session**

**Mr. Carcieri called the meeting to order at 6:00PM. School Committee Members present:**

**Luisa Abatecola, Shannon Barbosa, Robert Faria, Steven Santos, Anthony Carcieri. Also Present: Dr. Mario F. Cirillo, Jr., Superintendent of Schools, Mr. Edward Daft, Assistant Superintendent, Mr. Lonnie Barham, Chief Operating Officer, Sara Rapport, Esq.**

**Chairman Carcieri asked for a motion to convene in executive session. Motion made by Mr. Santos to move, pursuant to R.I. Gen. Laws § 42-46-5(a) (1), to executive session to discuss one individual and his or her job performance. This person has been notified in writing that this public body intends to convene in executive session in order to discuss his or her job performance and he or she has declined to have this discussion take place in open session. Also**

**move, pursuant to R.I. Gen. Laws § 42-46-5(a)(2), to discuss collective bargaining over the teachers contract, the teacher assistant contract, the secretaries' contract, the principal's association contract, and the custodians' contract, and to discuss litigation. Seconded by Mr. Faria. All members voted aye.**

**The School Committee returned to Public Session. The Pledge of Allegiance to the Flag and a Moment of Silence were observed.**

**A motion was made by Mrs. Barbosa to seal the minutes of the executive session, seconded by Mr. Faria. Vote 5-0.**

### **Report of Superintendent and Staff**

**Contingency Payment Fund - Dr. Cirillo requested that a \$20,000 allotment be included in the next bill list to set up a contingency fund in order to cover unanticipated expenses. A motion was made to approve by Mr. Santos, seconded by Mr. Faria for discussion. Mr. Faria asked for clarification as to where the funds will come from. Dr. Cirillo explained that \$20,000 would be held back from the monthly allotment we receive from the city to be able to pay for materials, supplies, maintenance issues, and things that need attention right away. Mr. Faria questioned how these issues are handled now. Dr. Cirillo advised that some situation/items take priority and we would not have funds available. Roll call vote: Mrs. Abatecola, aye; Mrs. Barbosa, aye; Mr. Faria, aye; Mr. Santos, aye; Mr. Carcieri, aye.**



## **Awarding of Bid**

**Food Service Contract - Mr. Barham advised that the Superintendent recommended approval of Chartwells Food Service, which currently serves East Providence. He explained that six East Bay school districts joined together to issue Requests for Proposals for food service management; two food service management companies attended the bidders' conference and submitted proposals. A motion was made by Mrs. Barbosa to approve the recommendation, seconded by Mr. Faria. After discussion: Roll call vote: Mrs. Abatecola, aye; Mrs. Barbosa, aye; Mr. Faria, aye; Mr. Santos, aye; Mr. Carcieri, aye.**

**New Business - Policy I.E. (School Committee Bylaws) Section 6.  
Order of Business - Proposal to Amend – Second Passage.**

**Mr. Gouveia (audience) mentioned a point of order regarding the second passage of the policy. Motion was made by Mr. Santos, seconded by Mrs. Barbosa for discussion. Mrs. Barbosa related that this is a six month trial and that anything is better than what happens now at meetings; as it stands now, people leave with questions unanswered because School Committee members cannot respond.**

**Mr. Faria does not like what happens now and had an issue with the format; he favors an agenda similar to one used in North Providence**

as an example of how public comment is broken down by sections and a person can address the School Committee. He was not in agreement with this process; he believes public comment should stay the way it has been. Mrs. Abatecola agrees there should be public comment and asked about submitting questions ahead of time, but to still have public comment at the end to voice comments about meeting items. Mrs. Barbosa said that people watching are frustrated in not getting questions answered. Roll Call Vote: Mrs. Abatecola, nay; Mr. Faria, nay; Mr. Santos, aye; Mr. Carcieri, aye; Mrs. Barbosa, aye.

#### **Payment of Bills**

**Warrant #000894 4/3/09 \$1,836,412.94**

**Warrant #000893 4/1/09 \$1,198,729.04**

**Motion: Santos/Second: Faria. Roll call vote all aye**

#### **Public Comment**

**Mrs. Roberta Brady requested a copy of the policy. She said she has been a taxpayer for 30 years; her expectation as a citizen is that all should have free speech; she was furious about not being able to converse with her elected officials; she asked everyone to vote them out.**

**David Nelson – Riverside – spoke about not being able to make comments and being constricted at meetings. He sent emails to the**

**School Committee; he was having a great deal of difficulty with this. He read a statement and concluded that spiraling down this path was detrimental to education.**

**Valerie Lawson – Woodhollow Lane – has been personally impacted by the policy and suggested that the School Committee should consider the people who will be impacted by it. She teaches government and will have to tell students they are not allowed to get up and speak to issues. This is not only about questions, but participation in government and giving one's opinion. She encouraged everyone to seek out and sign the Democratic city committee petition; she was disappointed with this action.**

**Antone Gouveia stated that it is a privilege to get up and make comments at meetings and that it is important to the community. He said that people come up with an agenda, but the School Committee also has an agenda. Regarding questions that the School Committee does not have answers to, he believes that administrators are required to attend meetings; questions could be answered by them either right then or at the next meeting. The questions are not like the City Council because school involves questions about kids. He mentioned that the late bus was taken away and no one seems to know why. People might want an explanation of what their kids are doing. He does not believe that people come up to entrap the School Committee and he hoped that members remember what it is all about – education.**

**Bob Enos – 11 Milburn Avenue – backed the School Committee, but the lack of communication between citizens and the School Committee bothers him and he has voiced this before. This School Committee has been silent, driven by lawyers not conscience. The citizens elect the School Committee and people are not using good judgment. He has emailed all about what takes precedence, state or city and no one bothered to answer. He asked what has happened to the elected School Committee. He mentioned specific laws (16-2-9 and 28-9-3-2) which give rights to organized bargaining. His opinion is that the School Committee should perform their duties and not pass them on to the City Council. Even though the law states that the City Council must ratify all contracts, it has not been passed by the General Assembly. He believes that the School Company needs to validate all school contracts; why would School Committee not finalize the contracts. He asked where the money will come from if we do not win against the teachers. He felt this has gone the wrong way and he would do away with the School Committee and just add two people to the City Council. He questioned where the meetings were being posted; talked about the restructuring plan and the fact that it should cost less and not increase payroll.**

**Mary Texeira – a teacher, emailed and received responses from the School Committee; she asked the School Committee to keep the public comment as is, because the average person will suffer from this change. People will not be able to speak at the meeting they are**

attending; if the purpose is to allow people to ask questions, the School Committee ruined something that was good. She said this is about speaking; she does not argue that other School Committees put us in the mess, but we continue to get farther away from resolution; there needs to be talking and this needs to stop; people are being hurt and a lot of money spent . Appeals by the Mayor will cause the community to be even farther apart. Teachers have never had a strike or worked to rule and that should be respected. A solution needs to be reached by talking; she thinks this was a mistake.

Priscilla Souza – received a call about no late bus transportation for students and that the kids must be out of the building unless they are involved in athletics. The kids who stay for extra help and various other school activities have to call home for a ride. She would like an answer and she would like to allow parents to speak and have questions answered.

Ryan Tellier – thanked Mrs. Abatecola for sticking by her guns and also Mr. Faria. He believes this is an injustice to democracy; the public needs the opportunity to voice their opinion. He listened to the motions with no discussion, no pertinent questions. If the School Committee does not want to hear negative from the public, it should change. Teachers need to come up and voice their opinion and the School Committee should listen. He suggested that the School Committee pay attention to the public; School Committee is there

**because of the public.**

**Patti Streit – has been coming to meetings for ten years; she has asked educational questions; public can ask questions that may not have been thought of. She thought there would be more people if they felt they were being heard; she thinks people will be frustrated with the items at the beginning of the meeting and not to the meat of the agenda**

**Paul Amaral – 79 Charity Street – spoke about the late bus being rescinded; this is no longer just an athletic issue—students are attending to other events/issues. As a citizen he felt it was important to be able to speak; he would like to exercise his rights as a citizen and felt there is a need for dialogue and that discerning freedoms is important. The roll back has done a number on his family; with a decrease in salary, he is working weekends and is away from his family. It has been tough and he wanted to share his comments in public even with no dialogue. He said it's about community and the need to come to resolution with dialogue. This may be a better venue, but it can be rescinded in six months.**

**Crystal Monteiro – A teacher, referring to a School Committee member comment “if it were about the kids it would be different” said she does not need a reminder about the kids; the kids will be affected by every decision and everyone on the School Committee needs to remember that every day.**

**Dave Medeiros was on the School Committee and always had people come up to speak; he did not always agree with them. He was very disappointed with the policy change and asked the School Committee to revisit this. Citizens come out and there should be more open communication with the public.**

**Chuck Hassell – asked the School Committee not to wait for six months, but to give back the right for people to speak. He believes that the School Committee knows this policy is a mistake. He felt the city needs positive and there should be good will. Even the President has to answer questions**

**Chairman Carcieri commented that there were about eight speakers at the podium who spoke with no restrictions and said what they wanted uninterrupted. People who came up do not want restrictions on what they want to say and anyone can say what they want. The second complaint from the existing and past presidents of the teachers' union – they want to come to the podium and ask questions and get answers. The way it is now, the School Committee has to sit and listen while people come up and say whatever they want. The way the policy was approved tonight, people can come up and talk about anything pertaining to the School Department, uninterrupted. If any questions, they can call the Superintendent's office to be placed on the agenda in order to have dialogue on those questions. Mr. Carcieri would like to have productive public comment with no**

**restrictions.**

**Ms. Souza questioned: if she asks to be placed on the agenda with a question, will the School Committee be prepared to discuss it? There can be some resolution that way with no restrictions on free speech.**

**Roberta Brady – asked if the public is going to get a copy of the agenda for the next meeting to be able to ask timely questions and if past questions will be answered.**

**Attorney Sara Rapport – advised that the law does not contain a right for the public to speak. The Open Meetings law provides an opportunity for the public to witness what is happening at meetings and an open forum is not required at all. The intent of the policy is not to limit discussion but to make it easier. By advising the Superintendent's office about the topic you intend to speak about, it will allow time for the Superintendent and staff to gather information and to be responsive. She cited the transportation issue as an example; if the issue had been flagged, the information would have been prepared in advance in order to be able to have dialogue. This is to create an effort to, if you show up, the Superintendent and School Committee would be prepared to answer. She asked that people be as specific as possible when filling out the form. A record of questions will be maintained. The idea is to improve the process. The time frame of five minutes has actually been extended under the new protocol and the new proposal gives more time for people to**

**articulate their concerns and lets the School Committee know ahead of time so they or a designee can respond. Ms. Rapport spoke about the OMA and the fact that nothing in the law requires a public body to hold public comment (42-46-16).**

**Mr. Carcieri thought this process would make the meetings more productive and better organized; there would also be a paper trail and some one could provide answers. The School Department would be better able to organize it. There are no restrictions; questions with answers have been added. The request form will be published on line; all people who ask to speak can and it will not be necessary to list names on the agenda.**

**A motion was made by Mr. Faria to adjourn at 8:50PM, seconded by Mr. Santos. Vote 5-0.**

**Respectfully submitted,**

**Patricia A. Iannelli, Administrative Assistant**

**Shannon Barbosa, Clerk of the Committee**