

School Committee Executive Session
Town Hall Meeting Room
Monday, August 30,2010

Members attending: Thomas Jefferson, Piali De, Virginia Justicz, Pat Wenger, Keith Cheveralls, Kirsten Wright

Other attendees: Mr. Leonard Kesten: Outside Counsel to S.C., Mr. Joshua Coleman: Outside Counsel to Dr. Jefferson

Meeting called to order by Keith Cheveralls at 6:59 p.m.

Kirsten Wright made the motion that the School Committee enter into executive session, as authorized by Chapter 30A, Section 18-25 of the Massachusetts General Laws, at a meeting for which 48 hours notice has been given to hear recommendations for and to consider the discipline of an employee.

Following the executive session, the Committee will not return to open session.

Patty Wenger seconded the motion.

VOTED (5/0) to accept amendment to the motion (Keith Cheveralls (Yes), Piali De (Yes), Virginia Justicz (Yes), Pat Wenger (Yes), Kirsten Wright (Yes).

Keith Cheveralls informed Committee that minutes of executive sessions on this matter will be supplied for advance review by the Committee with changes/approvals happening at next executive session.

Purpose of meeting:

1. To hear about Counsel, Leonard Kesten's, follow up to last executive session 7/19.
2. To consider Keith's recent conversation with Naomi Stonberg.
3. To deliberate in regard to disciplinary action of Superintendent and determine disciplinary action.

Mr. Kesten and Mr. Long conversation on 7/27/2010: Request from Attorney Long for 10 days suspended vacation pay, and a joint statement from School Committee and Dr. Jefferson.

Mr. Kesten had previously advised suspension with a forfeit of 2-4 weeks pay and public reprimand. Mr. Long and Dr. Jefferson not agreeable to this.

Keith Cheveralls had a conversation with Naomi Stonberg, and she would support a 1 week suspension with public reprimand.

Attorney Long, given permission to speak from the Chair, supplies a letter to the School Committee about an Order of Impoundment. The Order was signed on August 25, 2010.

The Committee considers how these potential disciplinary actions will affect Dr. Jefferson's future employment in other districts. Keith Cheveralls points out that ethics violation is public information already.

Piali De asks Atty Kesten how the Impoundment Order influences his recommendation to School Committee. Attorney Kesten says that it does not impact his recommendation. Appearance of impropriety and judgment remains.

Committee considers question: Does a School Committee member have "diminished rights" when advocating for a child with special needs? Much discussion with varying opinions about use of "diminished" rights as descriptor.

Dr. Jefferson explained that his decision was an informed decision based on information about the student, state of SPED in district and the 10% budget cut being requested by School Committee.

Pat Wenger made the motion that the School Committee issue the following actions against Superintendent Thomas Jefferson following an investigation and subsequent findings of outside counsel with regard to inappropriate deliberations between the Superintendent and the Chairman of the School Committee, Paul Wormser.

1. A two week suspension without pay.
2. A public reprimand to be written jointly by Attorney Kesten and the Chair of the School Committee.
3. A written copy of the reprimand to be placed in the Superintendent's file.

The public announcement should be reported at the next scheduled school committee meeting. The matter will be closed after these actions have occurred.

Piali De seconded the motion.

Attorney Long requested a copy of the motion and any written findings related to it.

Committee deliberates on motion, with concerns from Virginia about how we move forward after from here and Kirsten Wright and Piali De calling for a need to acknowledge the problem, be accountable, put it behind us and move on.

Piali De made an amendment to the motion that the School Committee issue the following actions against Superintendent Thomas Jefferson following an investigation and subsequent findings of outside counsel with regard to inappropriate deliberations between the Superintendent and the Chairman of the School Committee, Paul Wormser.

1. A two week suspension without pay.
2. A public reprimand to be written jointly by Attorney Kesten and the Chair of the School Committee

The public announcement should be reported at the next scheduled school committee meeting. The matter will be closed after these actions have occurred.

Pat Wenger seconded it.

Virginia Justicz made an amendment to the motion that the School Committee issue the following actions against Superintendent Thomas Jefferson following an investigation and subsequent findings of outside counsel with regard to inappropriate deliberations between the Superintendent and the Chairman of the School Committee, Paul Wormser.

1. A two week suspension without pay.
2. A public statement to be written jointly by the Superintendent and the Chair of the School Committee

The public announcement should be reported at the next scheduled school committee meeting. The matter will be closed after these actions have occurred.

No second.

Virginia brings the question about public reprimand and private reprimand of an employee.

Virginia Justicz made the amendment to the motion that the School Committee issue the following actions against Superintendent Thomas Jefferson following an investigation and subsequent findings of outside counsel with regard to inappropriate deliberations between the Superintendent and the Chairman of the School Committee, Paul Wormser.

1. A two week loss of vacation pay.
2. A public statement to be written jointly by the Chair of the School Committee and the Superintendent.

The public announcement should be reported at the next scheduled school committee meeting. The matter will be closed after these actions have occurred.

No second.

Piali De made the amendment to the motion that the School Committee issue the following actions against Superintendent Thomas Jefferson following an investigation and subsequent findings of outside counsel with regard to inappropriate deliberations between the Superintendent and the Chairman of the School Committee, Paul Wormer.

1. A two week suspension without pay.
2. A public statement to be written jointly by Attorney Kestin and the Chair of the School Committee, to be approved and voted on by the School Committee.

The public announcement should be reported at the next scheduled school committee meeting. The matter will be considered closed after these actions have occurred.

Pat Wenger seconded the motion.

VOTED (4/1) to accept motion. (Keith Cheveralls (Yes), Piali De (Yes), Virginia Justicz (No), Pat Wenger (Yes), Kirsten Wright (Yes).

Keith Cheveralls reminds the Committee that Naomi Stonberg supports idea of 1 week suspension without pay.

Virginia Justicz made the amendment to the motion that the School Committee issue the following actions against Superintendent Thomas Jefferson following an investigation and subsequent findings of outside council with regard to inappropriate deliberations between the Superintendent and the Chairman of the School Committee, Paul Wormer.

- 1. A one week suspension without pay.
- 2. A public statement to be written jointly by Attorney Kestin and the Chair of the School Committee.

The public announcement should be reported at the next scheduled school committee meeting. The matter will be considered closed after these actions have occurred.

Piali De seconded the motion.

VOTED (5/0) to accept amendment to the motion (Keith Cheveralls (Yes), Piali De (Yes), Virginia Justicz (Yes), Pat Wenger (Yes), Kirsten Wright (Yes).

Discussion from Tom Jefferson about past decisions and looking back at them nearly five years later.

Agreement to vote on the main motion from the School Committee.

Chair, Keith Cheveralls, reads the main motion as amended: The School Committee issue the following actions against Superintendent Thomas Jefferson following an investigation and subsequent findings of outside council with regard to inappropriate deliberations between the Superintendent and the Chairman of the School Committee, Paul Wormer.

- 1. A one week suspension without pay.
- 2. A public statement to be written jointly by Attorney Kestin and the Chair of the School Committee, to be approved and voted on by School Committee.

The public announcement should be reported at the next scheduled school committee meeting on September 13. The matter will be considered closed after these actions have occurred.

Piali De seconded the motion.

VOTED (4/1) to accept motion. (Keith Cheveralls (Yes), Piali De (Yes), Virginia Justicz (No), Pat Wenger (Yes), Kirsten Wright (Yes).

Chair and Attorney Kesten will draft statement and present it to committee for approval.

Attorney Long requested records: Copy of the Motion, copies of findings (verbal), when Superintendent is to serve suspension.

Piali De moves to adjourn at 8:41.

Pat Wemger seconds the motion.

VOTED (5/0) to accept amendment to the motion (Keith Cheveralls (Yes), Piali De (Yes), Virginia Justicz (Yes), Pat Wenger (Yes), Kirsten Wright (Yes).

Respectfully Submitted,

Kirsten Wright
Secretary