

TRANSCRIPT OF RECORDED MINUTES

OF

THE METHUEN SCHOOL COMMITTEE

WORKSHOP/BUSINESS MEETING

OF

MAY 22, 2017

SUBMITTED FOR THE APPROVAL OF:

THE METHUEN SCHOOL COMMITTEE

AND

THE SUPERINTENDENT OF SCHOOLS

“AN OPEN MEETING ADVANTAGE FOR THE COMMUNITY OF METHUEN”

RECORDED BY:

MARTHA SIROIS, PUBLIC RECORDER

**TRANSCRIPT OF RECORDED MINUTES**

**METHUEN SCHOOL COMMITTEE MEETING**  
**WORKSHOP/BUSINESS MEETING**

May 22, 2017

This Workshop Meeting of the Methuen School Committee was held at Methuen High School, Media Center, and was posted for immediately following the Public Hearing/Adoption of FY'17 Budget. Meeting opened at 6:49PM

**ROLL CALL**

Mr. Dennis D.J. Deeb (P)  
Mr. Robert F. Vogler, Secretary (P)  
Ms. Lynne Hajjar Kumm, Vice Chairperson (P)  
Ms. Joyce C. Campagnone (P)  
Mr. Nicholas DiZoglio (P)  
Ms. Jana DiNatale (P)  
Mayor Stephen Zanni, Chairperson (P)

**MEMBERS IN ATTENDANCE:**

Mr. Dennis D.J. Deeb (P)  
Mr. Robert F. Vogler, Secretary (P)  
Ms. Lynne Hajjar Kumm, Vice Chairperson (P)  
Ms. Joyce C. Campagnone (P)  
Mr. Nicholas DiZoglio (P)  
Ms. Jana DiNatale (P)  
Mayor Stephen Zanni, Chairperson (P)

**OTHERS IN ATTENDANCE:**

Mrs. Judith Scannell, Superintendent of Schools  
Brandi L. Kwong, Ed.D., Assistant Superintendent of Schools  
Gina Bozek, Director of Student Services  
John Crocker, Guidance Department Chair  
Ms. Martha Sirois, Public Recorder

**1. CALL TO ORDER AND ATTENDANCE:**

Mayor Stephen N. Zanni called this Business Session to order at 6:49 p.m. with a quorum of members in attendance, and listed above.

**MOTION:** Ms. Hajjar Kumm motioned to accept the agenda as presented  
Ms. Campagnone seconded the motion to approve as presented

**DISCUSSION:** None

**VOTE:** 7-0-0 APPROVED

## **2. Residency Packet Discussion...Atty. Matt MacAvoy/Superintendent Scannell**

Atty. MacAvoy reviewed all documentations in the Registration Packet and made his recommendations in the attached memo and also reviewed the recommendations with the Committee. His primary change to the forms would be to have alternatives to providing a Birth Certificate as a required document. The US Department of Education has taken a clear position that a school cannot condition enrollment based on not receiving a Birth Certificate. He has given alternatives in the draft form.

Ms. DiNatale-We use Birth Certificates to verify legal guardians.

Atty. MacAvoy-Birth Certificates do not verify legal guardians.

Ms. DiNatale-Did he address verifying legal guardians in his recommendations?

Atty. MacAvoy-In his revisions of the Affidavit of Student Residency document he has included that the parent who is enrolling the child has the legal right to do so.

Ms. DiNatale-Should there be documentation to support that?

Atty. MacAvoy-In the required Student Residency Affidavit that every parent/guardian must complete, they are required to present supplemental documentation. They are signing under the Pains and Penalties of Perjury. Guardians must submit legal paperwork stating they are the guardian.

Ms. DiNatale-Have you listed the court documents that can be accepted?

Atty. MacAvoy-He is not aware of any requirement in the State of Massachusetts that requires a parent to prove they are the parent of the child. It is different with guardians. He is not aware of any school district in Massachusetts that requires that biological parents prove they have legal authority to enroll their child.

Ms DiNatale-What would be acceptable paperwork for a guardian to register a student?

Atty. MacAvoy-Temporary or permanent guardianship papers from the court. Confirmation from Department of Children and Families (DCF) that the child has been placed in the custody of the guardian.

Ms. DiNatale-On number 5, we are taking out that the student live in the home 7 nights a week, how does the law define residency?

Atty. MacAvoy-In the statute the student needs to reside in the town. Courts define reside in different ways. They base it on the child's civic and social daily life.

Ms. DiNatale-She is concerned that the burden of proving where the child lives will be left to the administration. Should we have a spot on the form for the parents to give us their daily life information?

Atty. MacAvoy-He does not recommend that.

Mr. DiZoglio-What if a student spends every other week with the parent?

Atty. MacAvoy-You would look at other things like where is the student playing sports and participating in activities? Is it in Methuen?

Ms. DiNatale-Will you also help the District in formulating a policy to go along with following this packet?

Atty. MacAvoy-Yes

Ms. Hajjar Kumm-She thanked Atty. MacAvoy and she was happy to hear the changes were only minor and that the District was in a good place with these forms.

Superintendent-She will get the updated Registration Packet out to the Committee. There will be 1 person in the Family Resource Center reviewing the packets so that should tighten thing up.

**3. Policy JCDAB-Alcohol, Tobacco and Other Drug Use by Students Prohibited-Discussion and Approval...Atty. Matt MacAvoy/Dean Brouder/Jeff Osgood/Superintendent Scannell:**

Superintendent-The Committee had a lot of questions about this policy and she has asked Atty. MacAvoy to look at the policy and come to tonight's meeting and answer any questions.

Atty. MacAvoy-This policy did not really have many issues. The major question was using the word shall or may if a student is found in possession of drug paraphernalia or an illegal substance at school, whether the principal shall or may report the child to Law Enforcement Authority. There is no law to include either word. It is a policy issue as to how the District wants to respond to those types of incidents and whether it makes sense to leave some discretion to the administration in the buildings as to how to intervene in a particular situation.

Superintendent-There was one small change that she, the Attorney and a School Committee Member spoke about in length. That will be changed in the policy and she will have the policy at the next meeting.

Ms. DiNatale-She thought they were going to leave the information that is already in the policy, "will report to the police and will report to DCF".

Superintendent-Yes, that is correct. Atty. MacEvoy was just being cautious as to how the words can be comprehended by others. That will not be changed. They are continuing with the word in the policy.

Ms. DiNatale-She had asked about other things. Section 5 in regards to student participation in sports being placed in jeopardy was unclear. MGL Chapter 71 section 37H required some level of specificity.

Mr. MacEvoy-MIAA rules would limit the student's participation, if they were caught with or under the influence of drugs or alcohol, in extracurricular activities would certainly be limited. The principal, under Massachusetts Law has a broad authority at the present time to exclude students from extracurricular activities for what are considered to be discipline violations. There is not a due process attached to that exclusion at this point.

Section 5 as it is written seems appropriate.

Ms. DiNatale-There is one section we were contemplating the removal of letters E-G.

Atty. MacEvoy-It is his understanding that letters E-G had already been removed.

Ms. DiNatale-If the changes still keep us within the requirements of 37H, then she is fine with that change.

Superintendent-The Athletic Director and Coaches meet with all the athletes at the beginning of the year and review the rules. The parents have to attend the meeting with their student athlete and sign off.

#### **4. Mandated Reporting Presentation...John Crocker/Gina Bozek/Superintendent Scannell:**

Superintendent-This is about mandated reporting of suspected neglect and abuse. The guidance counselor will report to the building principal any reporting that is being done. The guidance counselor contacts John Crocker and the principal contacts the Superintendent of Schools. The Superintendent, John Crocker, and the building principal receive a copy of all documents. These reports would also go to the agency that is requesting the information or the agency that the abuse is being reported to.

Mr. Crocker gave his presentation on Mandated Reporting.

Mr. Deeb-He thanked Mr. Crocker for the report. How many of these reports do you deal with per year?

Ms. Bozek-Approximately 50 per year.

Ms. DiNatale-In #3 what does "opportunity to consult" look like? When a report is filed is there an investigation?

Mr. Crocker-Opportunity to consult relates to logistics and how the process needs to be followed in order to file with DCF. We do not conduct investigations, that is DCF's roll.

Ms. DiNatale-Who is the primary reporter? The child?

Mr. Crocker-No. The person that receives the information first.

Mr. DiZoglio-At anytime is law enforcement involved?

Mr. Crocker-It depends on the severity of the case.

Ms. Hajjar Kumm-Do other districts follow the same protocol? Would you also speak about how we respect the privacy of the victims and their families.

Mr. Crocker-This policy is in keeping with other districts. We all follow the Law, that is why they are the same. All the 51A information is confidential.

Mr. Vogler-Is the staff trained every year?

Superintendent-Yes. Reportable acts to the School Resource Officers (SRO) are destruction of District property, Graffiti, arson, vandalism, assaults against another student or staff member, domestic abuse with students dating, Civil Rights incidence and possession of a dangerous weapon. These are all reportable acts to the SROs. Some of these acts are reported to DCF and some are not. It depends on the situation.

Mr. DiZoglio-These issues don't always happen in the schools. Is DCF obligated to tell the schools if an issue happens outside of school?

Mr. Crocker-We do find out some issues that have happened but we are not always aware of all of them.

Mayor-Are we comparing our number of incidents with other districts our size? Are the incidents increasing each year?

Mr. Crocker-The numbers are going up. This means that the students are comfortable reporting incidents.

Mr. DiZoglio-If these students are placed in Foster Care do the numbers for transportation of Out of District students increase?

Ms. Bozek-Most times it is DCF that puts students in Foster Homes. She is not privy to the information if filing a 51A has anything to do with the students in Foster Care.

Mr. DiZoglio-Are Foster Care students listed under Homeless? Up until last December they were. Due to law changes they are now listed separately.

Ms. DiNatale-Her question that she asked in regards to investigation was not meant to imply that they are not investigating and they should be. She was not implying that and would not want people to think they were doing the wrong thing by not conducting an investigation and that you are doing exactly what the Law requires.

**5. Juvenile Diversion Program-Partnership with the District Attorney's Office Presentation...John Crocker/Gina Bozek/Richard Barden/Superintendent Scannell:**

Mr. Crocker gave his presentation on Juvenile Diversion Program.

Mr. Vogler-Do we have a number of Psychologists in the schools? Are they involved? Do we often have to refer out for services?

Mr. Crocker-Yes we do have them in the schools. They can have services in the schools. We also offer the opportunity to seek counseling outside of school.

Ms. Hajjar Kumm-She is happy this is for 1st time non violent offenders. The Community Service the student needs to do, is it in our own Community?

Mr. Crocker-We provide opportunities in Methuen as well as restitution. They want to be involved as much as possible with the students.

Ms. Hajjar Kumm-This is a nice alternative. What happens when the student makes another bad decision?

Mr. Crocker-The District Attorney's office would review and make a decision to prosecute or not.

Ms. Hajjar Kumm - If it is a violent crime, would the diversion be eliminated?

Mr. Crocker-Yes, they would look into that.

Ms. Campagnone-When a student does Community Service does a supervisor go with them?

Mr. Crocker-The juvenile Diversion Team oversees the Community Service and is in contact with the agencies that are providing the Community Service.

Ms. Campagnone-Are you involved in choosing the Community Service?

Mr. Crocker-Yes that is correct.

Mr. DiZoglio-What are these students doing to get into this program?

Mr. Crocker-The reasons are very broad.

Mr. DiZoglio-Who refers the students to the program?

Mr. Crocker-A court proceeding would of had to taken place. This program is instead of prosecution.

Mr. DiZoglio-How many are in the program?

Mr. Crocker-He cannot give that information.

Ms. DiNatale-Can you talk about the students at the Community Collaborative Initiative (CCI) meetings?

Mr. Crocker-We can engage in consultation during those meetings.

Ms. DiNatale-Who is usually present at those meetings?

Mr. Crocker-School Resource Officers (SRO), associate principals and Deans. There is a list attached in the handout.

Ms. DiNatale-Is it common for upper school associate principals to attend?

Mr. Crocker-The Deans have been attending as representatives for the grammar schools.  
Ms. DiNatale-When she talks about wanting students to be reported to the police for different issues, she is not being mean. When they are charged this is how they enter the Diversion Program. It is designed to provide support that enhance and supplement the supports that we can provide in the school. These students deserve to have everyone at the table that can help them.

Ms. Bozek-She would like to clarify what happens at the table of the CCI meetings. The group is talking about situations. They are not using student's names and are not sharing student records at the meetings.

Mayor-He would like to see a breakdown of the numbers for the high school versus the elementary upper schools and how do the numbers look from a year or two ago in comparison now.

Mr. Crocker-We can look into that.

**\*ADJOURNMENT:**

With no further business to discuss at this Business Session, Mayor Zanni entertained a motion to conclude the Workshop Session for the evening at 8:09 pm.

**MOTION:** Mr. Vogler moved to adjourn the Business Session at 8:09 pm.

Ms. DiNatale seconded the motion

**VOTE:** 7-0-0 UNANIMOUSLY APPROVED

Respectfully submitted,

**Martha Sirois, Public Recorder**

Methuen Public Schools