

**Andover School Committee
Minutes of August 31, 2020
Virtual Meeting**

Participants from the School Committee: Shannon Scully, Susan McCready, Tracey Spruce, Paul Murphy, and Lauren Conoscenti.

Others participating: Superintendent Shelley Berman, COO Stephen Nembirkow, Assistant Superintendents Sandra Trach and Sara Stetson, Town Manager Andrew Flanagan, Atty. Liz Valerio.

I. Regular Meeting

A. Call to Order/Moment of Silence

Shannon Scully called the Andover School Committee meeting of August 31, 2020 to order at 4:30 PM and opened up the Regular Meeting through a Virtual Meeting Broadcast by Andover TV and on Comcast Channel 99, Verizon Channel 43 or via streamed: www.andovertv.org **Public Participation via email: scremote@andoverma.us**

II. Executive Session:

Susan McCready moved for the School Committee to vote to meet in executive session pursuant G.L. chapter 30A, section 21(a) for purpose (3) to discuss strategy with respect to litigation with the Andover Education Association (AEA) regarding the AEA's work action (refusing to report to their school buildings for work) announced publicly on August 28, 2020 because an open session may have a detrimental effect on the litigating position of the Committee. The motion was seconded by Tracey Spruce. The Chair so declared that an open meeting may have a detrimental effect on the litigating position of the Committee. Roll Call: T. Spruce-Y, Murphy-Y, L. Conoscenti-Y, S. McCready-Y, S. Scully-Y. Motion passes 5-0. The Committee will reconvene in regular session after Executive Session.

III. Resume Regular Meeting: Moment of Silence

The Chair resumed the Committee to order Open Session at 5:25 PM. The meeting began with a Moment of Silence.

A. Education

1. Update of School Reopening Plans

Dr. Berman reported on a work action taken today by teachers not entering the school buildings to participate in a variety of activities that included health protocols, way-finding, professional development, and planning for the year ahead. Many teachers stayed out on the school lawns instead of coming into the building, attendance varied across the District but across the board 45% of the staff did not come into the building; including 267 teachers. There was limited ability to provide the preparation planned for today.

Sandy Trach reported on the lack of in-person professional development engaged in that is important for the return to school planning for all faculty and staff, which is unique because it sets the foundation on which further trainings are built. Primarily, there is a number of larger furniture pieces to be tagged by custodians and moved to storage in order to meet the proper space for the hybrid model and classroom setup needed to occur. Where teachers did not report to their prospective locations this did not occur. They also engaged in a number of building and staff orientations, including safety, health, policy and procedures and to engage in way-finding (one way corridors, stairwells etc.), and to also walk through arrivals, dismissals, mask breaks, etc. and to provide proper staff feedback. The building days are the beginning of instructional and curriculum planning with materials inside the schools for teachers to access. Classroom preparation, orientation and trainings, changes and beginning of instruction and curriculum planning were areas impacted by staff not returning to work.

If these actions continue, it could compromise the groundwork laid for the teachers to enable the school opening and require additional time from everyone to repeat and recoup the procedures. They are launching into significant training on Wednesday making it difficult to go back and repeat today's activities.

Town Manager Andrew Flanagan reported on actions taken today for safety concerns and violations at the various school buildings. The Fire Chief found a gas fueled generator being used as a source of power outside of the schools with a number of open containers of gasoline, as well as extension cords across school parking lots (both OSHA violations) and the blocking of fire lanes.

2. Petition: MA Dept. of Labor Relations

Atty. Liz Valerio of Valerio, Dominello & Hillman, LLC, spoke about the law which is very specific on what happens when participation is not adhered to. Whenever a strike is or about to occur, the School Department **shall** petition the Department of Labor. It is the School Committee's obligation to file a petition with the Dept. of Labor Relations to launch an investigation. [Massachusetts General Laws, chapter 150e, section 9a(b)]

It is illegal to have a work stoppage, and Shannon hopes we can find our way through this to plan and have a successful school year. As a member of the Bargaining Team, she feels that they have met every legal obligation put forth before them and making sure the schools are open safely. With the 10 days of professional development, we will be ready to welcome students on September 16th.

The District has taken many steps to ensure the buildings are safe, but the AEA did not want to accept the Town's analysis of the HVAC Systems requesting an independent inspection. An inspection has been conducted at the cost of \$30,000. Tracey feels very confident on the safety of the buildings enrolling her children in the Hybrid model. Paul Murphy said we made a decision to work in a hybrid model and he hopes there will be a change starting tomorrow so that we will have a great school year.

Liz Valerio said if we vote to file a petition, the Dept. of Labor will likely schedule an investigation this week. If they find there is a strike, employees will be instructed to return to work. If not complied with, they go into court and the court issues compliance penalties.

Susan McCready moved that the Andover School Committee vote to file a petition with the Massachusetts Department of Labor Relations for an investigation pursuant to Massachusetts General Laws Chapter 150E, Section 9A(B). The motion was seconded by Paul Murphy. Roll call: L. Conoscenti-Y, T. Spruce-Y, S. McCready-Y, P. Murphy-Y, and S. Scully-Y. Motion passes 5-0.

IV. Adjournment

At 6:00 PM Susan McCready moved to adjourn from the meeting of Monday, August 31, 2020. The motion was seconded by Tracey Spruce. Roll call: L. Conoscenti-Y, P. Murphy-Y, T. Spruce-Y, S. McCready-Y, S. Scully-Y. Motion passes 5-0.

Respectfully submitted,
Dee DeLorenzo
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Recording Secretary