

Swampscott School Committee  
Communications –

**I. Where's Waldo  
vs.  
Professor Obvious**

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August 6, 2007

**Agenda**

- Background
- Open Meeting Law / Public Documents
- Current Practice – Where's Waldo
- Different Approach – Professor Obvious
- How?
  - Electronic documents
  - File formats
  - Document management
  - Agendas
  - Minutes
  - Public Comment / Hearings
  - Web site

**Background – Motivation**

- Note:
  - I submit this proposal to the consideration of the School Committee.
  - This presentation is my own “straw man” proposal and represents my opinion.
- I am confident that:
  - It is possible and feasible to dramatically improve communication with the public.
  - Significant improvements in financial management and in academic achievement are unlikely without improved communication.

**Background – Assumptions**

- School Committee communication is more **about judgment** than **legalistic justification**.
- Improving communication with the public is in School Committee's, SPS's and public's interest.
- It is feasible:
  - Technologically, operationally and financially

**Mass General Law, Ch. 39, Sec. 23B. –  
“Open meetings of governmental bodies”**

- “All meetings of a governmental body shall be open to the public and any person shall be permitted to attend any meeting except as otherwise provided by this section.”
- “No quorum of a governmental body shall meet in private for the purpose of **deciding on** or **deliberating** toward a decision on any matter except as provided by this section.”
- ...

**Mass General Law, Ch. 39, Sec. 23B. –  
“Open meetings of governmental bodies”**

- ...
- “A governmental body shall maintain accurate records of its meetings, setting forth the date, time, place, members present or absent and **action taken** at each meeting, including executive sessions.”
- ...

## Open Meeting Law (OML)

– Michael Trudeau, Assist. D.A., Barnstable County, MA, at Mass. Assoc of School Committees (MASC) Workshop

- **“Deliberation:**
  - A verbal exchange between a quorum of members of a governmental body attempting to arrive at a decision on any public business within its jurisdiction.”
- **“What is ‘action taken’?**
  - Discussion or consideration of issues, regardless of whether a vote is taken or a determination is made;
  - The subject matter of every discussion taking place at a meeting should be identified, even if no vote taken;
  - Votes must be recorded exactly.”

## Open Meeting Law (OML)

– Michael Trudeau, Assist. D.A., Barnstable County, MA, at Mass. Assoc of School Committees (MASC) Workshop

- **“Executive Session Minutes:**
  - Members of the governmental body must vote to approve the release of minutes of executive session; **however,**
  - The minutes become public records under the OML as soon as the reasons for secrecy are past, whether or not any action is taken by the governmental body.”

## Open Meeting Law – Synopsis

- Applies to:
  - Quorum of Committee or Sub-Committee
- Minimum advance notice
  - 48 hr, excluding Sunday & legal holidays
- Agenda
  - No specific requirement

## Open Meeting Law – Synopsis (con't)

- **Minutes**
  - Mandatory at open and closed sessions
  - Required level of detail is ambiguously stated, but includes “deliberations”
- **Permitted, outside of public session:**
  - (As explained by Barnstable County D.A.)
  - Individual actions (individual is not a committee)
  - Deliberation between 2 members of committee
    - Closing loop of 3 members, however is violation of OML

## Mass General Law, Ch. 66, Sec. 5A. – “Records of meetings of boards and commissions”

- “The records ... shall report the names of all members of such boards and commissions present, the subjects acted upon, and shall record exactly the votes and other official actions taken by such boards and commissions; but unless otherwise required, ... such records need not include a verbatim record of discussions at such meetings.”
- ...

## “A Guide to the Massachusetts Public Records Law”

– Mass. Public Records Division

- “Every record made or received by a government entity is presumed to be a public record, unless it is subject to an exemption.”

## Public Records – Synopsis

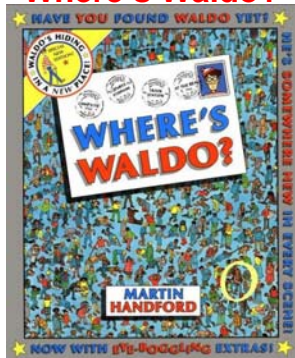
- Any document prepared by or submitted to committee is a “public record”
  - Including draft documents
- Public documents
  - Must be made accessible to anyone
- Practice, regarding official copies:
  - Town Clerk holds official copies of minutes
  - Other records normally held by Superintendent

## Current Practice

- Most common practice:
  - In Swampscott, in Massachusetts, ... in USA
  - By most School Committees
  - By current Swampscott School Committee and SPS
  - By most public bodies
- Information “officially” available, but actually getting info is:
  - Awkward, time-consuming, sometimes expensive
  - Burden is placed upon the public
- Current (terse) minutes would probably be hard to contest, legally
- **In short ...**

## Current Practice – Where's Waldo?

- .



## A Different Approach – Professor Obvious

- KISS (Keep it simple, silly)
- Make reasonable effort to make information as accessible as possible, :
  - Quick, easy, at no or minimal cost to public
  - Minimal overhead, in terms of cost and effort
- Minutes that document “deliberations”
- **It's not about legality; it's about responsibility.**
- Plausible, now, in light of current technology
- **Mass. School Committees are doing it, NOW!**

## How?

- Electronic documents
- File formats
- Document management
- Agendas
- Minutes
- Public Comment
- Informative web site

## Electronic Documents

- Synonyms: file, digital, attachment, etc.
- SC should request that all reports, presentations, & documents be submitted in electronic form, as well as any hard copy form
- Today, virtually all documents are, originally, electronic
  - Over the past year, I am aware of only 1 document that was only “handwritten”

## Electronic Documents – Modified Documents

- SC should request that all modified documents be submitted in two copies:
  - i. With changes highlighted, that is, with a precise presentation of all changes (deletions and insertions), which may be presented in change tracking mode or via some other explicit enumeration of all changes.
  - ii. A clean copy of the modified document, that is, a copy in which all changes have been accepted.

## File Formats

- **PDF – standard requirement:**
  - Universally accessible format, readable, searchable & copy-able by anyone, using free software.
  - Paper original can be scanned into PDF format.
  - Reasonable requirement, internally and externally
- **Original format:**
  - Should be requested, but be mostly optional
  - **Spreadsheets** – Should be required, primarily to allow additional calculations.

## Document Management – Informative file names

- Every file name should be informative\*:
    - **Date of document:** e.g., yyyy-mm-dd.
    - **Revision:** (none), a, b, c, ...
    - **Topic:** agenda / min / report
    - **Title:** Body or title, e.g., "sc" for School Committee
    - **Type (where relevant):** e.g., regular / executive session / public hearing, abbreviated as: (none) / es / pub-hear
    - **Status (where relevant):** proposal / draft / approved
    - **Markup (where relevant):** (none) / markup
    - **Originator:** Body, committee, organization, etc.
  - Examples: 2007-08-09\_b\_proposal\_SPS\_Communications\_nsb.ppt  
2007-07-25\_a\_min\_sc\_draft\_SPS.doc
- \* **Note:** Many web sites don't deal well with file names that have spaces. Thus the use of underscores, instead of spaces.

## Agendas

- Publish agendas, well in advance
- Include attachments
  - (Action / Acton-Boxborough Regional)
- Minimally, comply with internal policy, in terms of time line:
  - "... the agenda and pertinent materials must be given to all members not less than three (3) days prior to the meeting."
- No specific proposal submitted on this topic.

## Agenda – Executive Session - Clarity Over Brevity

- Current practice:
  - "I move to go into Executive Session to discuss Item 3."
- Better:
  - "I move to go into Executive Session to discuss Item 3: To discuss strategy with respect to collective bargaining or litigation." or
  - "I move to go into Executive Session to conduct strategy sessions in preparation for negotiations with nonunion personnel."
- No specific motion suggested for this topic.

## Minutes – More Detailed

- In interest of both School Committee & public
- Minutes should convey all significant deliberations
  - (Paraphrased from MASC presentation)
    - A reasonable person should be able to understand what happened at the meeting, solely by reading the minutes.

## More Detailed Minutes – Examples

- Swampscott Zoning Board of Appeals
  - Meant to support frequent legal challenges
  - Overly verbose for most School Committee topics
- Swampscott Board of Health
  - Significantly more detailed than current SC minutes, possibly a good example
- Examples of School Committees with detailed minutes:
  - Acton-Boxborough, Arlington, Cambridge, Newburyport, Weston, Westwood, Weymouth

## Public Comment / Hearings

- Public comment:
  - Suggest scheduling at both beginning and end of session
  - Provide mechanism to mail or e-mail comments
    - (Wayland and at least one other district)
  - Public Comment should not interrupt session deliberations
- Public Hearings
  - Schedule dedicated time to specific topics, e.g.:
    - Academic Achievement, Financial Forecast, Master Plan, Redistricting, Significant changes
  - No specific proposal has been prepared on this topic, at this time.

## Web Site – Accessible and Informative

- Relevant info
- Feasible, inexpensive, minimal overhead
- Many school committees have very informative web sites
  - (Acton-Boxborough, Arlington, Brookline, Wayland, Winchester)
  - (Numerous other school committees have interesting elements on their web sites – see spreadsheet, attached.)

## Web Site – Accessible and Informative (con't)

- **Members (and contact information)**
  - Assignments: Sub-committees / Liaison roles
- **Meeting schedule**
- **Agendas and minutes**
  - With TV broadcast schedule information
- **Sub-committees & Task Forces**
- **Links:**
  - Affiliates (Town, SUCCESS, POPS, Big Blue, etc)
  - Other resources (MASS, MASC, MGL, etc.)

## Web Site – Accessible and Informative (con't)

- **Documents**
  - The list of documents should be searchable, by different criteria
  - Policy
  - Reports (organized by topic):
    - Other Topics
      - e.g., Academic Achievement, Budget, Collective Bargaining, Goals, Master Plan, Personnel, Policy, Redistricting, SPED, etc.
  - Chair, Superintendent, External, other?
  - Resolutions
  - Position Papers
  - Letters

## Web Site – Accessible and Informative (con't)

- **FAQs**
  - General, Budget process (Dover-Sherborn)
  - How meetings are run / How public comment works
  - Where to turn with questions / issues
  - (Amherst, Brookline)
- **Glossary**
- **List server (e-mail broadcast):**
  - Normally, by self-service subscription
- **E-mail address:**
  - e.g., schoolcommittee@swampscott.k12.ma.us