

Virtual Governance Sub-Committee Report
Thursday, November 5, 2020
Broadcast from the Media Arts Studio
454 Broadway, Cambridge, MA

Called for the purpose of discussing the code of ethics of the School Committee and reviewing ways to support school councils. It is anticipated that this meeting will end no later than 5:30 p.m.

Members Present: Member Rojas, Chair; Member Wilson; Member Weinstein

Others present: Member Killian, Member Vera-DeGraff

Member Rojas is the Chair. The meeting started at 4:00 p.m. Member Rojas shared the two main goals of the meeting: to review the Code of Ethics and if there is time then reviewing ways to support school councils.

Member Rojas discussed the goals of the Code of Ethics in the context of adding restorative justice practices. He shared the most recent version: [Draft Code of Ethics](#). He went over the highlighted changes. Ms. Banks discusses the importance of restorative justice to be “offered” and not “enacted”. Member Rojas provided further context on what the School Committee will do with the complaint-i.e. going into executive session, then reconvene in open session: vote for an outside investigation of the complaint, vote to censure the member in question.

Member Wilson asked for further clarification on the voting section.

Dan Monahan suggested thinking about how we circle back with the group that was harmed/had the complaint. Dan Monahan asked what to do if the person/group does not want to do restorative justice.

- Ms. Banks asked what would stop the restorative justice from happening and the whole point was to have accountability. She further talked about how there is a substitute person to stand in on behalf of the person.

Member Rachel asked for clarification on what an outside investigation would be.

- Member Rojas said it also could happen if they don't have enough information to make a decision.
- Ms. Banks provided possible ideas: another person from a different agency to investigate, mediation services

Member Rojas asked how initially the member will be offered the use of Restorative Justice to solve the problem.

- Ms. Banks recommended there needs to be a non-partisan screening method and discussed the challenges of the last issue.

Member Wilson asked for who is voting for the outside investigation of the complaint? Member Rojas confirmed it would be the School Committee.

Member Wilson asked how we ensure this is in the scope of what the person who were harmed expects and if they want an apology.

- Ms. Banks confirmed that an apology is restorative justice. Ms. Banks talked about the importance of consistency offering restorative practices first.

Member Rojas asked Ms. MacFarlane for further clarification if changing the School Committee from “will” to “could in section B. Ms. MacFarlane talked about the narrow items to go into executive session.

Member Weinstein wanted to change it to “call for an executive session.” Member Weinstein asked if the person who doesn't want to do restorative justice could the fall under “restorative justice is not successful”

- Ms. Banks asked what does it look like if restorative justice is not successful
- Member Rojas asked if the person who was harmed is satisfied
- Ms. Banks says it goes until the person who has made the complaint is satisfied.

Section B III was changed to vote to consider other action as appropriate.

Ms. Preval asked where the money from the outside investigation is coming from and is there is an appeals process for the investigation.

Member Wilson asked if there was procurement, it would be a contract before the School Committee. The community could be speak of.

- Ms. MacFarlane discussed how a certain amount it does have to go before the School Committee.
- Member Wilson clarified that it was \$25,000.00. Ms. MacFarlane confirmed.

Member Wilson asked if it was lower than \$25,000.00 how we inform the public.

- Dan Monahan talked about the outside investigations should be discussed in public: cost, selection of the investigator, and scope of the investigation

Member Wilson moved to send the Draft Code of Ethics to the School Committee for a vote.

Member Weinstein asked what happens if restorative justice process and the impacted party wants an apology/gets an apology but they don't think the apology was sincere.

- Ms. Banks talked about how if the agreement was not thoroughly completed, it needs to go back to punitive response and they need to know that in advance. Also clarified that language is "effected party"
- Ms. Banks clarified that lawyers look at what laws have been broken but mediation looks at what harm has been done.

Member Weinstein seconded Member Wilson's motion to bring Draft Code of Ethics to the School Committee.

Member Rojas moved the meeting to discussion about School Councils. He shared his personal experience with School Council.

Member Weinstein talked bout the importance of beginning the conversation on how they are functioning and if there is more we could do as School Committees to support the School Council work and to ensure that we are playing our role in that process of supporting them.

Member Wilson shared that she is learning the process and this falls under the School Committee purview.

Member Rojas asked Maureen what other things besides setting the policy should the School Committee be doing.

- Ms. MacFarlane discussed how the School Committee should not be in the direct day to day, but the broad policy is under the role of the School Committee
- Member Wilson asked if it was ok to gather the Councils
- Ms. MacFarlane confirmed yes but they would have to be thoughtful on how they are structured

Ms. Harris provided further background and workings of the School Councils and the work that they are doing with the School Councils. Sub-Committee members expressed their appreciation for Ms. Harris' work.

Member Rojas opened the meeting to final thoughts.

- Ms. Banks shared her appreciation that the Committee is moving into a restorative way.

Member Rojas ended the meeting at 5:22 pm.

Attest:



Allison Daley
Confidential Secretary to the office of the School Committee