



**SCHOOL COMMITTEE**

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**Charter Review Recommendations**

The Charter Review Committee requested feedback from the School Committee and District on what they think is going well and what could be improved in terms of the structures, rules, and processes within the City Charter. The District provided feedback and there was discussion at the September 20th School Committee meeting and continued discussion at the October 4th meeting between committee members and District leadership. Below are the final recommendations submitted to the Charter Committee by a 9-0 vote of the School Committee.

**Recommendations to Discuss**

- School Committee Terms/Makeup
  - Addition of At Large School Committee Members
    - *Feedback from meetings:*
      - *Running an At Large Campaign is a significant expense and could put more privileged members of the community at a significant advantage and create equity issues. Member consensus is not to add At Large members.*
  - Changing from two year terms to three year terms for School Committee members
    - *Feedback from meetings:*
      - *Allows for members to have more time to learn and then contribute as the first year is often asking questions and learning*
    - *Suggested Language Change to Article IV, Section 1(b):*
      - a) Term of Office: The term of office for the nine school committee members elected by the voters shall be for three (3) years, beginning on the first day of January in the year following their election, and shall continue until their successors have been qualified.
  - Mid-term vacancies process should mirror the City Council's process requiring a Special Election (Article IV)
    - *Suggested Language Addition to Article IV:*
      - Delete "school committee" in Article IV, Section 4.
      - Article VIII, Section 7(h)(ii) add new reference to Article IV, Section 1
      - Add new section to Article IV:

01. If a school committee member removes from the municipality during the term for which elected, the office shall immediately be considered vacant and shall be filled by a special election. A preliminary election will be held within sixty (60) days following the vacancy, and the special election shall be held 35 days following the preliminary.
02. If, in the first eighteen (18) months of the term, a school committee member removes to another district in Framingham, the term for the seat to which elected shall be considered vacant and the balance of the unexpired term shall be filled by a special election. A preliminary election will be held within sixty (60) days following the vacancy, and the special election shall be held 35 days following the preliminary.
03. Any vacancy occurring after the twentieth (20<sup>th</sup>) month of the term shall be filled at the next regular municipal election.

- Budget

- Change the budget timeline to 120 days from 60 days (Article VI, Section 3)
- Change the current 21 day timeline for the City Council to review the budget to a slightly higher number to grant them more time for their review (Article VI, Sections 5(a) and 5(d))
  - School Committee vote would occur in mid February versus the current end of March schedule
  - Allows for two to three weeks after the Governor submits the baseline budget, so there is a firm proposal on Commonwealth Chapter 70 and other line items before the vote
  - Executive Director of Finance & Operations Feedback: Recommend this be changed to speed up the operating budget approval process. Per collective bargaining agreements, school staff have a limited number of time after school ends in June to place orders for the start of the following school year with the following year funding.
  - Human Resources Director Feedback: It would really help the District's hiring efforts if the budget is approved earlier in the school year. We lose a lot of talent because we cannot offer contracts until so late in the hiring season.
- Change the Capital Budget Timeline
  - Due date still in November
  - Review and final vote by February
  - Would allow time for construction schedule when schools are closed for the summer
  - Executive Director of Finance & Operations Feedback: Propose the capital budget approval process occur in February. The way it is structured now, we find out we have the funding in June and by the time we bid the project out, the summer is halfway or completely over. The two months over the summer is the only long term period of time we have to start and complete projects as students and staff are not in the buildings. If we can get approval in February, we have five months to plan and bid the project out for an end of June/start of July start. Without a change to

the timing of the capital budget, we will always be at least one year in arrears for a lot of projects.

- This timeline will allow all departments to more efficiently plan, and accurately budget projects. The current model has departments creating estimates over the summer, mayor submits in November, approval/disapproval in June, and projects cannot start until months following in many cases, and an entire year after in some cases. This has a disproportionate impact on any site which needs construction to be done during the summer, such as school building projects.
- Need to ensure that this complies with State Law as well as considering the timing of the Annual Consensus Revenue Determination, Free Cash certification and state tax rate
- Suggested Language Change to Article VI, Section 8(f)
  - Adoption: After the public hearing, and no later than the end of February each year ~~concurrently with the passage of the next fiscal year's budget~~, the council may amend and shall, by resolution, adopt the capital improvement program with or without amendments.
- Add the words “and capital” under School Committee Powers and Duties to reflect the role for capital budgeting as well as operating, in Article IV, Section 1(h)
  - To adopt and to oversee the administration of an annual operating and capital budget for the school department.
- Addition of a Public Hearing requirement for proposed mergers in municipal departments (Article 5)
  - Suggested language change to Article V, Section 1, mirroring the City Council's public hearing requirement: Whenever the mayor proposes such a plan which impacts the school district, the school committee shall give notice by publication in a local newspaper and hold one (1) or more public hearings on the proposal. The notice in the local newspaper shall describe the scope of the proposal and, the time and place at which the public hearing will be held, said hearing to be not less than seven (7) nor more than fourteen (14) days after the publication. The school committee must vote to approve a plan which impacts the school district for it to take effect, per MGL Chapter 71, Section 37M.
- Ensure all meeting minutes and videos of all public bodies are required and posted on the City website for consistency
- Inauguration date changed so it is not required to be January 1st, and the first organizational meeting can be within the first week. The first business day following the New Year is suggested for the Inauguration date. Article IX, Section 11.
- Update the job title of the School Committee's Executive Assistant to mirror the Council Secretary's mentions. Change “clerk” to “executive assistant of the school committee in Article VIII, Section 2(b), (d), and (e), and Article VIII, Section 3(a)
- The School Committee should be listed as having full responsibility of naming school facilities consistent with MGL and longstanding policy (Article IX, Section 19)
- Procurement/Contracting Process for the School District: Additional language to clarify on what “unless otherwise provided? By law” means (Article VI, Section X)
  - The clear delegation of procurement duties to the school committee's procurement representative (Executive Director of Finance & Operations) on the decision authority to award contracts from the school department is

recommended to support the unique timelines and needs of schools, the School Committee's budgetary authority, and continuous improvements to deliver better services to the school community.

- Supporting is the fact that, "Chapter 30B allows a Chief Procurement Official (CPO) wide latitude to delegate procurement powers and duties to other employees within the same governmental body — it can be very specific, limited or broad. A CPO may issue more than one delegation at a time, and multiple positions may have delegated authority."
- New legislation since Charter enactment, along with the original understood intent to not supercede school purchasing authority in the original Charter of 2017 both cause the need for this to be addressed. The MA Association of School Committee's recently offered that, "Chapter 198 of the Acts of 2022 lifted the thresholds for both written quotations and for bids for school districts ONLY from \$50,000 to \$100,000. The School Committee of a municipal district conducting all of its own purchasing may choose to lift the caps above at its discretion. In order for districts in which purchasing is conducted by the municipal purchasing department to do so, the municipality may, per the Office of the Inspector General, 1) change the procurement policy to decentralize the procurement function so the school department can conduct its own procurement process; OR 2) make a limited policy change by using the Chief Purchasing Officer's delegation to revert some school-related procurements back to the school department); OR 3) keep a centralized process but the CPO can make separate purchases for the school department using the higher school-related thresholds. If none of these occur, the Committee must keep the thresholds as they stand."
- Add clerk to school committee officers elected in Article IX, Section 11 for consistency. It is in there earlier in Article IV, but not in Article IX, Section 11.
- Article IV Section h ii-iv should be indented
- Formatting Edits Recommended by the [City Consultant](#):
  - Delete dash from "ex officio" - Agrees with C-019 from Charter/Ordinance Review Doc - Article IV, Section 1(a)
  - Change "their" to "its" - Agrees with C-020 from Charter/Ordinance Review Doc - Article IV, Section 1(g)(i)
  - Bulleted formatting fix in Powers and Duties Section - Agrees with C-021 from Charter/Ordinance Review Doc - Article IV Section 1 (h)
- Change : "The council shall give not less than five (5) days advance notice to any person it may require to appear before it under this section" to five business days or increase the number of days notice.(Article II Section 7d)
  - Consider changing notice being given "by delivery in hand, or by registered or certified mail to the last known place of residence of that person" to include email

### **Other Questions Raised/Discussed**

- Has the SIFOC Committee fulfilled its mission? It has been difficult to find representative members. (Section I)
- Is it possible to align the Charter with the fiscal year (July-June) (Article IV Section 1b)
- Should "Local Newspaper" be updated to reflect the changing digital media landscape? (Article 1, Section 7)
- Does a City Long Range Strategic Plan currently exist? (Article III Section 11b)

## **Background Information**

- [September 20, 2023 School Committee Open Session Meeting Video](#)
- [October 4, 2023 School Committee Open Session Meeting Video](#)
- [Request for Feedback From Charter Review Committee](#)
- [Charter Considerations from Charter Review Appointee](#)
- [Charter Recommendations from Administration](#)